

**OFFICIAL JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF LOUISIANA**

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**THIRTY-EIGHTH DAY'S PROCEEDINGS**

**Twenty-Ninth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Tuesday, June 10, 2003

The Senate was called to order at 1:30 o'clock P.M., by Hon. John Hainkel, President of the Senate.

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	

Total—37

**ABSENT**

Bean	Thomas
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Total—2

The President of the Senate announced there were 37 Senators present and a quorum.

**Prayer**

The prayer was offered by Rev. Bill Moon, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator Lambert, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Messages from the House**

The following Messages from the House were received and read as follows:

**Petitions, Memorials and  
Communications**

The following petitions, memorials and communications were received and read:

**SENATE  
State of Louisiana**

**AFFIDAVIT**

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

BEFORE ME, the undersigned Notary Public, personally came and appeared FRANCIS C. HEITMEIER, who after having been sworn by me, did depose and say:

His name is Francis C. Heitmeier and his address is 3709 General DeGaulle Drive, New Orleans, Louisiana, 70114.

He is a Louisiana State Senator, representing Senatorial District No. 7.

He is submitting this affidavit to Michael S. Baer, III, as the chief clerical officer of the Senate in accordance with R.S. 42:1120, which provides that an elected official shall not be required to recuse himself from a vote which may involve a conflict of interest, if he prepares and files a statement as required by that Section.

During the current session of the legislature, as a state Senator he, along with the 38 other members of the Senate, will be confirming many appointments by the governor and otherwise required by law.

One of the persons to be submitted for confirmation, as a river pilot, will be his son, Cory Heitmeier.

He is able to cast his vote on whether to confirm those individuals, including his son, in a fair and objective manner and in the public interest.

While he do not necessarily take that position that the above action would be a matter covered by R.S. 41:1112, he is executing this affidavit and filing this statement with the secretary of the Senate as a precautionary measure.

\_\_\_\_\_  
Francis C. Heitmeier

Sworn to and subscribed before me, Notary, this 9th of June, 2003, in Baton Rouge, Louisiana.

\_\_\_\_\_  
Notary Public

I, Michael S. Baer, III, secretary of the Senate, hereby acknowledge that I have received the original of this notarized statement, and hereby certify that this is a true copy of the original as it appears in the official journal of the Senate.

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 10, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 174 by Representative Doerge, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 10, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1154 by Representative Diez, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 10, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1776 by Representative Montgomery, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 10, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 631 by Representative Curtis, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Privilege Report of the  
Legislative Bureau**

June 10, 2003

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

**HOUSE BILL NO. 236—**  
BY REPRESENTATIVE TOWNSEND  
AN ACT

To enact R.S. 36:609(B)(4), relative to the responsibilities of the office of wildlife, Department of Wildlife and Fisheries; to provide that the firearm and hunter education programs shall be administered by the office of wildlife; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 301—**  
BY REPRESENTATIVE MURRAY  
AN ACT

To repeal R.S. 23:1225(C)(1)(b), relative to workers' compensation; to repeal the provision allowing the reduction of benefits for receipt of old-age benefits received under the Social Security Act.

Reported without amendments.

**HOUSE BILL NO. 363—**  
BY REPRESENTATIVE SALTER  
AN ACT

To amend and reenact R.S. 40:1496.17(D), relative to the Parishwide Fire Protection District of Red River Parish; to provide relative to the administration of funds of the district; to provide that the board of commissioners of the district shall administer such funds; to provide for implementation; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 469—**  
BY REPRESENTATIVE SALTER  
AN ACT

To amend and reenact R.S. 56:643(B)(2), relative to hunting and fishing licenses; to provide for qualifications for a license available to state residents on active military duty; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 719—**  
BY REPRESENTATIVE JOHNS  
AN ACT

To enact R.S. 33:4712.8, relative to property owned by the town of Vinton; to provide relative to the disposition of such property; to provide relative to notices and procedures for such dispositions; to provide relative to the contesting of such dispositions; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 812—**  
BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 56:410.7 and the introductory paragraph of Section 5 of Act No. 191 of the 1926 Regular Session of the Legislature, as enacted by Act No. 120 of the 1946 Regular Session of the Legislature, and amended by Act No. 307 of the 1948 Regular Session of the Legislature, and Act No. 17 of the 1956 First Extraordinary Session of the Legislature, and Act No. 66 of the 1988 Regular Session of the Legislature, and Act No. 539 of the 1990 Regular Session of the Legislature, and Act No. 550 of the 1995 Regular Session of the Legislature, relative to the Northwest Louisiana Game and Fish Preserve Commission; to provide relative to certain powers to regulate the taking of game and fish; to provide relative to permitted and prohibited fishing gear on Black Lake, Clear Lake, and Prairie Lake; to provide relative to possession of a recreational use license on said lakes; to provide penalties; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 846—**

BY REPRESENTATIVES SALTER AND NEVERS  
AN ACT

To amend and reenact R.S. 17:46(A)(1) and 1171(A), relative to eligibility for sabbatical leave for certain teachers; to remove the requirement that a teacher shall be eligible for a medical leave sabbatical if the teacher's regular sick leave balance is twenty-five days or less; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 961—**

BY REPRESENTATIVE SALTER  
AN ACT

To amend and reenact R.S. 33:383(A)(1) and to enact R.S. 33:383.2, relative to municipal elections; to authorize the governing authority in certain municipalities to hold municipal elections at the same time as the gubernatorial election; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 964—**

BY REPRESENTATIVE LEBLANC  
AN ACT

To amend and reenact Section 3(A) of Act No. 38 of the 1974 Regular Session of the Legislature, as amended by Act No. 673 of the 1977 Regular Session of the Legislature, Act No. 940 of the 1981 Regular Session of the Legislature, Act No. 939 of the 1986 Regular Session of the Legislature, and Act No. 40 of the 1989 Regular Session of the Legislature, relative to the taxes levied by the governing authority of Lafayette Parish upon the occupancy of hotel rooms and overnight camping facilities within the parish, the proceeds of which are used to support the Lafayette Parish Convention and Visitors Commission; to provide that the amount of such taxes shall not exceed four percent of the rent or fee charged for such occupancy; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 968—**

BY REPRESENTATIVES ARNOLD AND TUCKER  
AN ACT

To amend and reenact R.S. 33:2740.27(D)(introductory paragraph), (1), and (2), relative to the Algiers Development District; to provide relative to the membership of the board of commissioners; to provide relative to the qualifications, appointment, and service of board members; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 991—**

BY REPRESENTATIVE PIERRE  
AN ACT

To enact R.S. 56:428.3, relative to oyster leases; to authorize future renewal of leases which were not renewed due to temporary impacts of coastal restoration projects; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1031—**

BY REPRESENTATIVE TUCKER  
AN ACT

To amend and reenact R.S. 23:631(A)(1), relative to the payment of employees; to provide for the payment of employee's wages upon separation from employment; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1097—**

BY REPRESENTATIVE PITRE  
AN ACT

To amend and reenact R.S. 23:1131(B)(1) and (2) and 1208(G), relative to workers' compensation; to provide for the release of earnings records; to provide for consent of the release of records; to provide for confidentiality of such records; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1137—**

BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 56:103(B) and (C)(1) and 104(A)(3) and (4) and to repeal R.S. 56:140, to authorize the taking of bobcats and foxes under a big game hunting license; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1271—**

BY REPRESENTATIVE L. JACKSON  
AN ACT

To amend and reenact R.S. 33:2495(B)(1)(a)(introductory paragraph) and to enact R.S. 33:2495(B)(3), relative to fire and police civil service; to provide relative to formal training required of each person selected for appointment to the entry level position of Fire Communications Officer (I) in the city of Shreveport; to provide for commencement of the working test period after successful completion of formal training; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1294—**

BY REPRESENTATIVE BOWLER  
AN ACT

To amend and reenact R.S. 23:1310.5(B), relative to disputed workers' compensation claims; to provide for appellate procedures of disputed claims; to permit the appeals to be taken within certain time periods; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1312—**

BY REPRESENTATIVES GLOVER, BAYLOR, AND JANE SMITH  
AN ACT

To enact R.S. 33:1976, relative to naming certain fire department facilities; to authorize the municipal governing authority in certain municipalities to name the central fire station and related facilities in honor of a former fire chief; to provide limitations; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1323—**

BY REPRESENTATIVE PIERRE  
AN ACT

To amend and reenact R.S. 30:706 and 707, relative to fees paid for the hazardous liquid pipeline program; to provide relative to the collection and amounts of such fees; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1327—**

BY REPRESENTATIVE PIERRE  
AN ACT

To amend and reenact R.S. 30:560 and 561, relative to pipeline safety inspection fees; to provide relative to the collection and amounts of such fees; to provide relative to persons responsible for paying such fees; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1452—**  
BY REPRESENTATIVE HOPKINS  
AN ACT

To enact R.S. 33:221.3, relative to municipal annexations; to provide relative to annexation of territory included within fire protection districts in Caddo Parish; to provide relative to the procedures governing such annexations; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1536—**  
BY REPRESENTATIVE LEBLANC  
AN ACT

To enact R.S. 17:3129.5, relative to a state tuition and fee policy; to authorize the Board of Regents to study and formulate a state tuition and fee policy for public postsecondary education institutions and systems; to provide for legislative review and approval of such policy; to provide relative to policy implementation and annual reports; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1541—**  
BY REPRESENTATIVE STRAIN  
AN ACT

To enact R.S. 23:1871(Q), relative to educational, licensing, and employment data and reports; to provide for data sharing among certain state agencies, education programs, and licensing boards for the purposes of health occupational forecasting and reporting; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1567—**  
BY REPRESENTATIVES K. CARTER AND MURRAY  
AN ACT

To authorize and provide for a cooperative endeavor agreement for use of certain state property in Orleans Parish with the city of New Orleans; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1591—**  
BY REPRESENTATIVES MCDONALD AND THOMPSON  
AN ACT

To enact R.S. 33:2740.55, to create the Bastrop Downtown Development District; to provide relative to the boundaries and purposes of the district; to provide relative to the governance of the district; to provide relative to district plans; to authorize the governing authority of the city of Bastrop to levy and collect taxes and issue bonds on behalf of the district, subject to approval of district voters; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1619—**  
BY REPRESENTATIVES MORRISH AND NEVERS  
AN ACT

To enact Chapter 20-B-5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3042.48 through 3042.53, relative to a guaranteed loan program for certain nursing students; to authorize the Louisiana Student Financial Assistance Commission to make loans to certain students enrolled in certain nursing programs; to provide for legislative findings and purpose, eligibility requirements, commission rules and regulations, loan amounts, loan forgiveness, contract requirements, and funding; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1642—**  
BY REPRESENTATIVE GUILLORY  
AN ACT

To enact R.S. 23:897(M), relative to employment; to provide that an employer may withhold employee's wages to cover cost of medical and drug testing under certain circumstances; to provide that the employee must sign a contract for such withholding; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1656—**  
BY REPRESENTATIVE STRAIN  
AN ACT

To amend and reenact R.S. 23:1121(B), relative to workers' compensation; to provide for the selection of a treating physician; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1712—**  
BY REPRESENTATIVE SCALISE  
AN ACT

To amend and reenact R.S. 23:1031.1(E), relative to workers' compensation; to repeal provisions allowing notice to constitute a claim for disability; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1718—**  
BY REPRESENTATIVES ANSARDI, TOOMY, AND TUCKER  
AN ACT

To amend and reenact R.S. 34:2021(D), 2022(A), (C)(2)(introductory paragraph), and (I), 2024, 2027, and 2028 and to enact R.S. 34:2022(K) and 2033 through 2037, relative to the Jefferson Parish Economic Development and Port District; to provide for rights and powers; to provide for sale of bonds; to provide for right of expropriation; to provide for general compliances; to create and provide for additional economic development; to create and provide for additional powers; to create and provide for revenue bonds; to create and provide for exemption from ad valorem taxes; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1756—**  
BY REPRESENTATIVES PEYCHAUD, L. JACKSON, CURTIS, HONEY, MURRAY, RICHMOND, JACK SMITH, SWILLING, WALKER, WELCH, WINSTON, BROOME, K. CARTER, M. JACKSON, AND MORRELL AND SENATOR IRONS  
AN ACT

To enact R.S. 40:600.6(A)(4)(b)(vi) and (25) and Chapter 3-B of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:600.26, and Subpart X of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.64, relative to the Louisiana Housing Finance Agency; to create the Louisiana Housing Trust Fund; to provide for use of the trust fund to assist low-income individuals and families by providing for development, rehabilitation, and preservation of affordable housing; to provide for deposit of certain monies into the trust fund; to provide for authority to administer the trust fund; to exempt the trust fund from the Administrative Procedure Act; to provide for a refund checkoff on individual state income tax returns for the trust fund; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1809—**

BY REPRESENTATIVE THOMPSON  
AN ACT

To amend and reenact R.S. 34:855.3(G) and to enact R.S. 34:855.3(H) and R.S. 56:1687(11), relative to the office of state parks; to prohibit operation of personal watercraft on any body of water located wholly within Poverty Point Reservoir State Park; to authorize the secretary of the Department of Culture, Recreation and Tourism to make, alter, amend, and promulgate rules regulating recreational use of such water bodies; to provide for penalties; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1886—**

BY REPRESENTATIVE TUCKER  
AN ACT

To enact R.S. 33:9038.10, relative to economic development districts; to provide for the annual baseline collection rate for tax increments within certain districts; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1898—**

BY REPRESENTATIVE PITRE  
AN ACT

To amend and reenact R.S. 23:1226(B)(3), relative to workers' compensation; to provide for the filing of claims involving vocational counselors; to provide for an employee's right of action; to provide for an expeditious procedure to compel an employee's cooperation; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
LOUIS LAMBERT  
Chairman

**Adoption of Legislative Bureau Report**

On motion of Senator Lambert, the Bills and Joint Resolutions were read by title and passed to a third reading.

**Introduction of Resolutions,  
Senate and Concurrent**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 66—**

BY SENATOR FONTENOT  
A RESOLUTION

To congratulate Mr. and Mrs. Ronald Sidney Mills on the occasion of their sixtieth wedding anniversary.

On motion of Senator Fontenot, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 67—**

BY SENATOR CAIN  
A RESOLUTION

To establish a task force to advise the Department of Social Services on the preparation of a handbook on marriage and fragile families.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Judiciary A.

**SENATE CONCURRENT RESOLUTION NO. 134—**

BY SENATOR SCHEDLER  
A CONCURRENT RESOLUTION

To urge and request that the Department of Health and Hospitals review potential solutions and, if appropriate, promulgate rules to enhance the efficiency of the Mental Retardation/Developmental Disabilities Home and Community Based Waiver, examining a right of first refusal provision to afford individuals the opportunity to forego their waiver opportunity until a time when they are in need of the services and assessing the issues of access to emergency waiver opportunities to meet the needs of individuals seeking to prevent institutionalization during a crisis situation.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Health and Welfare.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS**

June 10, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 1633—**

BY REPRESENTATIVES MURRAY, DIEZ, PEYCHAUD, AND STRAIN  
AN ACT

To amend and reenact R.S. 27:247, relative to the casino support services contract; to provide for the execution of such contract; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 2007 (Substitute for House Bill No. 1502 by Representative Landrieu)—**

BY REPRESENTATIVES LANDRIEU, MURRAY, AND PEYCHAUD  
AN ACT

To enact Part III-F of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:136 through 136.11, relative to expropriation by a declaration of taking; to provide for legislative intent; to provide for definitions; to provide for applicability to municipalities with a population greater than four hundred fifty thousand; to provide for the authority to expropriate; to provide for the contents of the petition; to provide for a determination of value; to provide for vesting of title; to provide for notice; to provide for opposition and waiver of defenses; to provide for procedures and delays for filing an answer; and to provide for related matters.

**HOUSE BILL NO. 611—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact R.S. 40:531(A), (C), and (D), 534, and 537, relative to local housing authorities; to provide relative to the appointment and removal of commissioners of certain local housing authorities established pursuant to resolution of certain parish governing bodies; to provide that the appointment and removal of commissioners of such housing authorities shall be made by the parish governing body; to provide relative to the certificate of appointment or reappointment for such commissioners; and to provide for related matters.

**HOUSE BILL NO. 1984—**

BY REPRESENTATIVE GARY SMITH  
AN ACT

To enact R.S. 14:30(A)(8), relative to homicide; to provide with respect to the crime of first degree murder; and to provide for related matters.

**HOUSE BILL NO. 1815—**

BY REPRESENTATIVE BRUCE  
AN ACT

To amend and reenact R.S. 42:1123(31) and to enact R.S. 42:1119(2)(c), relative to governmental ethics; to provide for an exception from the code of ethics for a former school board member who is a certified school psychologist to be employed by his former school board as a certified school psychologist; to provide for an exception to the nepotism provisions of the code of ethics for uncertified teachers in certain circumstances; to provide limitations; and to provide for related matters.

**HOUSE BILL NO. 1568—**

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 17:3396.4(A)(2), (3), (4), (5), (6), (7), (9), and (11), relative to the board of directors of the Research Park Corporation; to allow certain members to have designees; to provide for the election of certain members; to allow such members certain limited recusal under certain circumstances; to provide for the application of certain provisions of the Code of Governmental Ethics under certain circumstances; and to provide for related matters.

**HOUSE BILL NO. 1516—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact R.S. 33:4574.12(D)(1)(b) and (E)(1) and to enact R.S. 33:4574.12(D)(3), relative to the River Parishes Convention, Tourist, and Visitors District; to grant the commission the authority to levy additional taxes, fees, and charges; to provide relative to exemption and exclusions applicable to taxes levied by the district; to provide for an effective date; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions**

Senator Adley asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

**HOUSE BILL NO. 611—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact R.S. 40:531(A), (C), and (D), 534, and 537, relative to local housing authorities; to provide relative to the appointment and removal of commissioners of certain local housing authorities established pursuant to resolution of certain parish governing bodies; to provide that the appointment and removal of commissioners of such housing authorities shall be made by the parish governing body; to provide relative to the certificate of appointment or reappointment for such commissioners; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 1516—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact R.S. 33:4574.12(D)(1)(b) and (E)(1) and to enact R.S. 33:4574.12(D)(3), relative to the River Parishes Convention, Tourist, and Visitors District; to grant the commission the authority to levy additional taxes, fees, and charges; to provide relative to exemption and exclusions applicable to taxes levied by the district; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 1568—**

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 17:3396.4(A)(2), (3), (4), (5), (6), (7), (9), and (11), relative to the board of directors of the Research Park Corporation; to allow certain members to have designees; to provide for the election of certain members; to allow such members certain limited recusal under certain circumstances; to provide for the application of certain provisions of the Code of Governmental Ethics under certain circumstances; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 1633—**

BY REPRESENTATIVES MURRAY, DIEZ, PEYCHAUD, AND STRAIN  
AN ACT

To amend and reenact R.S. 27:247, relative to the casino support services contract; to provide for the execution of such contract; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

**HOUSE BILL NO. 1815—**

BY REPRESENTATIVE BRUCE  
AN ACT

To amend and reenact R.S. 42:1123(31) and to enact R.S. 42:1119(2)(c), relative to governmental ethics; to provide for an exception from the code of ethics for a former school board member who is a certified school psychologist to be employed by his former school board as a certified school psychologist; to provide for an exception to the nepotism provisions of the code of ethics for uncertified teachers in certain circumstances; to provide limitations; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 1984—**

BY REPRESENTATIVE GARY SMITH  
AN ACT

To enact R.S. 14:30(A)(8), relative to homicide; to provide with respect to the crime of first degree murder; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary C.

**HOUSE BILL NO. 2007 (Substitute for House Bill No. 1502 by Representative Landrieu)—**

BY REPRESENTATIVES LANDRIEU, MURRAY, AND PEYCHAUD  
AN ACT

To enact Part III-F of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:136 through 136.11, relative to expropriation by a declaration of taking; to provide for

legislative intent; to provide for definitions; to provide for applicability to municipalities with a population greater than four hundred fifty thousand; to provide for the authority to expropriate; to provide for the contents of the petition; to provide for a determination of value; to provide for vesting of title; to provide for notice; to provide for opposition and waiver of defenses; to provide for procedures and delays for filing an answer; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

### Messages from the House

The following Messages from the House were received and read as follows:

#### Message from the House

#### ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 10, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

#### HOUSE CONCURRENT RESOLUTION NO. 209— BY REPRESENTATIVE GUILLORY AND SENATOR MOUNT A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2004 Regular Session of the Legislature the provisions of Subpart B-28 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:130.551 through 130.559, relative to the North Lake Charles Economic Development District, to suspend all aspects and provisions of law with respect to the North Lake Charles Economic Development District.

#### HOUSE CONCURRENT RESOLUTION NO. 200— BY REPRESENTATIVE BROOME A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to review the registry of current requests for long-term care services and to recommend practical solutions on how these services may be more effectively and efficiently provided.

#### HOUSE CONCURRENT RESOLUTION NO. 180— BY REPRESENTATIVE JACK SMITH A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors of Community and Technical Colleges to comply with the provisions of R.S. 17:4(B)(1) relative to the retention of all rights, privileges, and benefits enjoyed by persons employed by the State Board of Elementary and Secondary Education or the state Department of Education in the performance of its functions relating to postsecondary vocational-technical schools when such functions and employees were transferred by the legislature to the Board of Supervisors of Community and Technical Colleges.

#### HOUSE CONCURRENT RESOLUTION NO. 169— BY REPRESENTATIVE BROOME A CONCURRENT RESOLUTION

To provide with respect to the promotion and strengthening of marriages.

#### HOUSE CONCURRENT RESOLUTION NO. 228— BY REPRESENTATIVE WELCH A CONCURRENT RESOLUTION

To commend the baseball team of Louisiana State University for winning the National Collegiate Athletic Association Super Regional and reaching the 2003 College World Series.

#### HOUSE CONCURRENT RESOLUTION NO. 229— BY REPRESENTATIVES SCHNEIDER AND CROWE AND SENATOR SCHEDLER A CONCURRENT RESOLUTION

To commend Joseph Buccaran upon his retirement as principal of Slidell High School.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

### House Concurrent Resolutions

Senator Schedler asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

#### HOUSE CONCURRENT RESOLUTION NO. 169— BY REPRESENTATIVE BROOME A CONCURRENT RESOLUTION

To provide with respect to the promotion and strengthening of marriages.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Judiciary A.

#### HOUSE CONCURRENT RESOLUTION NO. 180— BY REPRESENTATIVE JACK SMITH A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors of Community and Technical Colleges to comply with the provisions of R.S. 17:4(B)(1) relative to the retention of all rights, privileges, and benefits enjoyed by persons employed by the State Board of Elementary and Secondary Education or the state Department of Education in the performance of its functions relating to postsecondary vocational-technical schools when such functions and employees were transferred by the legislature to the Board of Supervisors of Community and Technical Colleges.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Education.

#### HOUSE CONCURRENT RESOLUTION NO. 200— BY REPRESENTATIVE BROOME A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to review the registry of current requests for long-term care services and to recommend practical solutions on how these services may be more effectively and efficiently provided.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Health and Welfare.

#### HOUSE CONCURRENT RESOLUTION NO. 209— BY REPRESENTATIVE GUILLORY AND SENATOR MOUNT A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2004 Regular Session of the Legislature the provisions of Subpart B-28 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:130.551 through 130.559, relative to the North Lake Charles Economic Development District, to suspend all aspects and provisions of law with respect to the North Lake Charles Economic Development District.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE CONCURRENT RESOLUTION NO. 228—**

BY REPRESENTATIVE WELCH

**A CONCURRENT RESOLUTION**

To commend the baseball team of Louisiana State University for winning the National Collegiate Athletic Association Super Regional and reaching the 2003 College World Series.

The resolution was read by title. Senator Dardenne moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Marionneau
Adley	Fontenot	McPherson
Barham	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Cain	Hines	Romero
Chaisson	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jones, CD	Tarver
Dean	Lambert	Theunissen
Dupre	Lentini	Ullo
Ellington	Malone	
Total—32		

**NAYS**

Total—0

**ABSENT**

Bajoie	Hoyt	Thomas
Bean	Johnson	
Holden	Jones, B	
Total—7		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 229—**

BY REPRESENTATIVES SCHNEIDER AND CROWE AND SENATOR SCHEDLER

**A CONCURRENT RESOLUTION**

To commend Joseph Buccaran upon his retirement as principal of Slidell High School.

The resolution was read by title. Senator Schedler moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Marionneau
Adley	Fontenot	McPherson
Barham	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Cain	Hines	Romero
Chaisson	Hollis	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, CD	Tarver
Dean	Lambert	Theunissen
Dupre	Lentini	Ullo
Ellington	Malone	

Total—32

**NAYS**

Total—0

**ABSENT**

Bajoie	Hoyt	Thomas
Bean	Irons	
Holden	Jones, B	
Total—7		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**House Bills and Joint Resolutions  
on Second Reading to be Referred**

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

**HOUSE BILL NO. 43—**

BY REPRESENTATIVE STRAIN

**AN ACT**

To enact R.S. 42:1113(D)(2)(f), relative to certain prohibited contractual arrangements; to allow a legislator, person who has been certified by the secretary of state as elected to the legislature, or spouse of a legislator or person who has been certified as elected to the legislature, or any corporation, partnership, or other legal entity in which such a person owns any interest to donate certain professional services to public entities; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 332—**

BY REPRESENTATIVE PINAC

**AN ACT**

To amend and reenact R.S. 42:1123(24), relative to contractors; to provide relative to governmental ethics; to provide for exceptions; to provide relative to the members of the State Licensing Board for Contractors; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 443—**

BY REPRESENTATIVE GARY SMITH

**AN ACT**

To amend and reenact R.S. 42:1119(B)(2)(b)(i), relative to nepotism in certain hospital service districts and hospital public trust authorities; to permit the employment of allied health professionals who are members of the immediate family of a member of the parish governing authority or a member of the governing authority or of the chief executive of the district or authority by certain hospital service districts and hospital public trust authorities; to provide relative to the employment of physicians and registered nurses who are immediate family members of such persons; to provide limitations; to provide for recusal; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 713—**

BY REPRESENTATIVE HUTTER

**AN ACT**

To amend and reenact R.S. 32:295(A), (B)(2), (C), (D), and (H) and to enact R.S. 32:295(B)(3), (I), and (J), relative to child passenger restraint systems in motor vehicles; to provide for the

age at which certain child restraint systems shall be used; to provide for definitions; to provide for situations in which passenger side airbag systems are activated; to provide relative to the nature of certain violations; to provide relative to penalties; and to provide for related matters.

### Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Dupre to Reengrossed House Bill No. 713 by Representative Hutter (Duplicate of Senate Bill No. 287)

#### AMENDMENT NO. 1

On page 1, line 2, after "(C)," delete the remainder of the line and insert in lieu thereof the following: "and (D) and to enact"

#### AMENDMENT NO. 2

On page 1, line 3, change "32:295(B)(3), (I), and (J)," to "32:295(B)(3) and (I),"

#### AMENDMENT NO. 3

On page 1, delete line 7 in its entirety and insert in lieu thereof the following: "provide for an effective date;"

#### AMENDMENT NO. 4

On page 1, line 8, delete "to penalties;"

#### AMENDMENT NO. 5

On page 1, line 10, after "(B)(2)," delete the remainder of the line in its entirety and insert in lieu thereof the following:

"(C), and (D) are hereby"

#### AMENDMENT NO. 6

On page 1, line 11, change "32:295(B)(3), (I), and (J)," to "32:295(B)(3) and (I),"

#### AMENDMENT NO. 7

On page 2, line 7, delete "younger than"

#### AMENDMENT NO. 8

On page 2, line 26, immediately after "available" delete the period "." and add the following: "and the child weighs more than forty pounds."

#### AMENDMENT NO. 9

On page 3, line 1, change "and" to "or"

#### AMENDMENT NO. 10

On page 3, between lines 5 and 6, insert the following:

"(3) A child who because of age or weight can be placed in more than one category shall be placed in the more protective category."

#### AMENDMENT NO. 11

On page 3, line 13, delete "that"

#### AMENDMENT NO. 12

On page 3, line 18, change "a" to "the"

#### AMENDMENT NO. 13

On page 3, line 20, immediately after "system" insert a comma "," and delete "such"

#### AMENDMENT NO. 14

On page 4, delete lines 4 through 22 in their entirety.

#### AMENDMENT NO. 15

On page 4, line 23, change "J" to "I"

On motion of Senator Dupre, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 287, was read by title and referred to the Legislative Bureau.

#### **HOUSE BILL NO. 783—**

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 42:1123(32), relative to ethics; to permit any local governing authority to appoint any one of its members to certain boards, commissions, and entities under certain circumstances; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

#### **HOUSE BILL NO. 787—**

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 42:1123(32), relative to ethics; to permit the Metropolitan Council for the city of Baton Rouge and the parish of East Baton Rouge to appoint any one of its members to certain boards, commissions, and entities; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

#### **HOUSE BILL NO. 1084—**

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 11:1732(12)(b) and to enact R.S. 11:1732(27.1), 1782(3), and 1802(3), relative to the Municipal Employees' Retirement System; to provide for definitions; to authorize marshals to include certain supplements, fees, and commissions in their earnings for purposes of the retirement system; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

#### **HOUSE BILL NO. 1116—**

BY REPRESENTATIVE LANDRIEU

AN ACT

To enact R.S. 49:214.16, relative to coastal restoration; to establish the America's WETLAND Way across coastal Louisiana; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Natural Resources.

#### **HOUSE BILL NO. 1417—**

BY REPRESENTATIVES WINSTON AND PEYCHAUD

AN ACT

To enact Children's Code Article 603.1, relative to abuse of children; to provide certain educational requirements for teacher certification; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

#### **HOUSE BILL NO. 1442—**

BY REPRESENTATIVE SWILLING

AN ACT

To amend and reenact R.S. 11:3689(A) and to enact R.S. 11:262(14), relative to the Harbor Police Retirement System; to provide with respect to the investment of funds; to provide for fiduciary and investment responsibilities and standards; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

**HOUSE BILL NO. 1475—**

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 11:3363(B), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to provide that the six percent salary deductions from a member's salary shall cease when a member has twenty years of service; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

**HOUSE BILL NO. 1490—**

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 11:3378(A)(1)(a) and (2)(a), relative to the Firefighters' Pension and Relief Fund for the city of New Orleans; to provide with respect to benefits to surviving spouses of members killed or who died from injury received while engaged in the discharge of their duties; to provide with respect to benefits to surviving spouses of other members and former members; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Retirement.

**HOUSE BILL NO. 1804—**

BY REPRESENTATIVE TOOMY

AN ACT

To enact R.S. 42:1119(C)(5), relative to nepotism; to provide that nepotism provisions of the Code of Governmental Ethics shall not apply to the employment of volunteer firefighters or to decisions regarding such employment; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 1837—**

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 42:1123(18), relative to governmental ethics; to permit licensed physicians who are cardiologists and who are serving on the board of commissioners of hospital service districts in parishes with a population of forty-five thousand or less to contract with a hospital over which the board exercises jurisdiction; to allow such a physician board member to have an ownership interest in an entity that contracts with the hospital over which the board exercises jurisdiction; to provide for such member's recusal from certain transactions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 1996—**

BY REPRESENTATIVE HONEY

AN ACT

To amend and reenact R.S. 40:490(B)(introductory paragraph) and to enact R.S. 40:490(C), relative to payments in lieu of taxes; to grant certain parishes and municipalities and school boards in such parishes certain authority relative to payments in lieu of taxes; to require housing authorities in certain parishes to make payments in lieu of taxes to certain school boards; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON****RETIREMENT**

Senator Boissiere, Chairman on behalf of the Committee on Retirement, submitted the following report:

June 10, 2003

To the President and Members of the Senate:

I am directed by your Committee on Retirement to submit the following report:

**HOUSE CONCURRENT RESOLUTION NO. 49—**

BY REPRESENTATIVE NEVERS

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to review and consider eliminating provisions of law supplanting social security benefits for those receiving benefits from a federal, state, or local government retirement system.

Reported favorably.

**HOUSE BILL NO. 353—**

BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 11:103(D), relative to the Firefighters' Retirement System of Louisiana; to provide for the determination of the employer contribution rate; to provide with respect to valuation of certain outstanding amortization bases; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 354—**

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 11:2260(A)(2)(introductory paragraph) and (a)(introductory paragraph), (c), (d), (e), and (f) and (6) and to enact R.S. 11:2260(A)(2)(g), relative to the Firefighters' Retirement System of Louisiana; to provide for the membership of the board of trustees; to provide quorum requirements; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 411—**

BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact R.S. 11:1541, relative to the Clerks of Court Retirement and Relief Fund; to provide with respect to the membership of the board of trustees; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 412—**

BY REPRESENTATIVE MCVEA

AN ACT

To amend and reenact R.S. 11:1549(A), relative to the Clerks' of Court Retirement and Relief Fund; to provide with respect to cost-of-living adjustments; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 417—**

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 11:558(A)(4) and (5) and to enact R.S. 11:558(A)(6), relative to the Louisiana State Employees' Retirement System; to provide with respect to judges and officers of the court who are members of the system; to provide relative to retirement eligibility; to provide for retirement at age sixty-five with at least ten years of creditable service; to clarify that remaining in office beyond age seventy is not prohibited by statute if permitted by the constitution; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 565—**

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 11:162(C), relative to the Teachers' Retirement System of Louisiana; to provide for membership therein; to provide for classes of employees not eligible for membership; to provide for the promulgation of rules; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 758—**

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 11:1152(L), relative to the Louisiana School Employees' Retirement System; to provide with respect to the Deferred Retirement Option Plan; to prohibit reenrollment in the system under certain conditions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 906—**

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:1641(B) and (C) and 1642(A)(introductory paragraph) and (3), relative to the Louisiana District Attorneys' Retirement System; to provide relative to Deferred Retirement Option Plan subaccounts; to provide for the investment of funds in such subaccounts after a member ceases participation in the plan and the crediting of interest to such subaccounts; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 911—**

BY REPRESENTATIVES SCHNEIDER AND MCVEA

AN ACT

To amend and reenact R.S. 11:1516, relative to the Clerks of Court Retirement and Relief Fund; to provide with respect to the repayment of withdrawn accumulated employee contributions; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 915—**

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:822(E), relative to the Teachers' Retirement System of Louisiana; to provide with respect to election procedures for members of the board of trustees; to provide for dissemination of election information to system members; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 916—**

BY REPRESENTATIVE SCHNEIDER AND SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:779(B), relative to the Teachers' Retirement System of Louisiana; to provide with respect to deceased disability retirees; to provide for benefits for surviving minor children; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 995—**

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 11:558(A)(4) and (5) and to enact R.S. 11:558(A)(6), relative to judges and court officers who are members of the Louisiana State Employees' Retirement System; to provide for retirement of judges and court officers with ten years of creditable service upon attaining the age of sixty-five years; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1188—**

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:62, relative to state and statewide retirement systems; to provide with respect to employee contribution rates; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1204—**

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 11:2180.2(C) and 2180.3(C)(3) and to enact R.S. 11:2178.1(C)(14) and 2180.5, relative to the Sheriffs' Pension and Relief Fund; to provide for calculation of Back-DROP benefits to assure compliance with the Internal Revenue Code, for an increase in the annual compensation limit subject to federal law that is used for purposes of certain calculations used in determining benefits, for the definition of "eligible retirement plan" for purpose of transfers of benefits, and for creation of an excess benefit plan; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1278—**

BY REPRESENTATIVES SCHNEIDER, DANIEL, AND TRICHE

AN ACT

To amend and reenact R.S. 11:103(B)(3)(e)(i), (ii), and (iv), relative to the Municipal Police Employees' Retirement System; to provide for the determination of the employer contribution rate; to change the period for amortization of certain changes in actuarial liability from fifteen years to thirty years; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1325—**

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:124 and 181 and to enact R.S. 11:183 through 185, relative to administration and duties of retirement boards and committees, to provide for state and statewide retirement systems and the Public Retirement Systems' Actuarial Committee; to provide for membership, administration, duties, and responsibilities; to provide for education; to provide for quorum requirements, meeting dates, and per diem; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1426—**

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:449(C), 788(C), 1152(F)(3), 1312(H), 1456(F)(1), 1530(F), 1641(C), 1763(F)(2), 1938(F)(2), 2178.1(C)(9)(a), 2221(F)(2), and 2257(F)(2), relative to state and statewide retirement systems; to provide with respect to Deferred Retirement Option Plans and Back-Deferred Retirement Option Plans; to provide for investment of the funds in such plans; to require that any investment of such funds after the member completes participation in the plan shall be in liquid asset money market investments; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1626—**

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:723.1(B), relative to the Teachers' Retirement System of Louisiana; to provide for actuarial purchase of service credit for certain service performed under contract; to provide relative to the time period during which such purchase may be made and procedures therefor; to provide an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1684—**

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:301 through 309, relative to state and statewide retirement systems; to reestablish the Commission on Public Retirement; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1811—**

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 11:752(A) and to enact R.S. 11:752(F) and 754(C), relative to the Teachers' Retirement System of Louisiana; to provide relative to unused annual and sick leave; to require payment for unused accumulated leave which cannot be converted to retirement credit; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1881—**

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:449(C), 1152(F)(3), 1312(H), 1456(F)(1), 1530(F), 1641(C), 1763(F)(2), 1938(F)(2), 2178.1(C)(9)(a), 2221(F)(2), and 2257(F)(2), relative to state and statewide retirement systems; to provide with respect to Deferred Retirement Option Plans and Back-Deferred Retirement Option Plans; to provide for investment of the funds in such plans; to require that any investment of such funds after the member completes participation in the plan shall be in liquid asset money market investments; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
LAMBERT BOISSIERE, JR.  
Chairman

**REPORT OF COMMITTEE ON  
LOCAL AND MUNICIPAL AFFAIRS**

Senator Bajoie, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

June 9, 2003

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

**HOUSE BILL NO. 38—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

To enact R.S. 33:447.6, relative to the mayor's court of the town of Lutchter; to authorize an increase in court costs for violations of municipal ordinances; to require the local governing authority to authorize the increase in court costs by adoption of an ordinance; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 39—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

To enact R.S. 33:447.6, relative to the mayor's court of the town of Gramercy; to authorize an increase in court costs for violations of municipal ordinances; to require the local governing authority to authorize the increase in court costs by adoption of an ordinance; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 370—**

BY REPRESENTATIVE FAUCHEUX

A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize a local government to provide capital from certain revenues for industrial development purposes; to provide prerequisites; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 501—**

BY REPRESENTATIVE SWILLING

AN ACT

To enact R.S. 33:9076, to create the Lake Barrington Subdivision Improvement District; to provide relative to the boundaries, purpose, and governance of the district; to provide relative to taxes or fees to be levied and collected in the district; to provide relative to district plans; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 717—**

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 33:4768(A)(1), relative to condemned structures; to provide that the city of Lake Charles, as an alternative to demolition or removal, may make repairs necessary to correct defects in condemned structures within its jurisdiction; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1085—**

BY REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 33:3819(D), relative to the Ward Two Water District of the Parish of Livingston; to increase the maximum per diem authorized to be paid to members of the governing board of the district for attending board meetings; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1087—**

BY REPRESENTATIVE HUNTER

AN ACT

To enact R.S. 33:2711.19, relative to municipal sales and use taxes; to authorize the governing authority of the city of Monroe to levy and collect an additional sales and use tax; to provide for voter approval; to provide for a termination date of such authority; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1307—**

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 40:432 and to enact R.S. 40:384(28), relative to local housing authorities; to provide for definitions; to authorize the collection of criminal history record information on applicants for public housing and vouchers under Housing Choice Voucher programs; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1385—**

BY REPRESENTATIVE GUILLORY

AN ACT

To enact R.S. 33:2866.1, relative to property adjudicated to parishes and municipalities; to provide relative to the payment of commissions to licensed realtors who assist parishes and municipalities in selling property adjudicated to them for nonpayment of taxes; to provide with respect to guidelines; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1459—**

BY REPRESENTATIVES THOMPSON, KATZ, AND MCDONALD

AN ACT

To enact R.S. 40:573(12), relative to Housing Cooperation Law; to provide with respect to housing developments and redevelopment projects; to provide for public hearings; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1488—**

BY REPRESENTATIVE FARRAR

AN ACT

To amend and reenact R.S. 33:3817(B), relative to waterworks districts; to authorize the board of commissioners of such districts to employ a president and to fix his salary; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1565—**

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 33:461(A)(1), relative to the assessment and collection of municipal taxes; to provide that the city of Lake Charles may prorate municipal ad valorem taxes on property annexed into the city; to provide a basis upon which the taxes shall be prorated; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1720—**

BY REPRESENTATIVE FLAVIN

AN ACT

To enact R.S. 33:4045.1, relative to sewerage assessments in the city of Lake Charles; to provide relative to the payment and collection of such assessments; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1726—**

BY REPRESENTATIVE MORRELL

AN ACT

To enact R.S. 33:4071.1 and to repeal R.S. 33:4085(C), relative to the Sewerage and Water Board of New Orleans; to provide relative to certain contracts of the Sewerage and Water Board of New Orleans; to provide for certain approvals of certain contracts of the Sewerage and Water Board of New Orleans; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1761—**

BY REPRESENTATIVE MORRELL

AN ACT

To amend and reenact R.S. 33:4138 and to enact R.S. 33:4071.1, relative to the city of New Orleans; to remove the debt ceiling of eighteen million dollars for the Sewerage and Water Board of New Orleans; to provide relative to certain contracts of the Sewerage and Water Board of New Orleans; to provide for certain approvals of certain contracts of the Sewerage and Water Board of New Orleans; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1762—**

BY REPRESENTATIVE MORRELL

AN ACT

To amend and reenact R.S. 33:4148 and to enact R.S. 33:4071.1, relative to the city of New Orleans; to remove the debt ceiling of sixty-eight million dollars for the Sewerage and Water Board of New Orleans; to provide relative to certain contracts of the Sewerage and Water Board of New Orleans; to provide for certain approvals of certain contracts of the Sewerage and Water Board of New Orleans; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1859—**

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 33:3001, relative to the limit on parish governing authority appropriations for certain fairs and festivals; to increase such limit; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1916—**

BY REPRESENTATIVE DARTEZ

AN ACT

To amend and reenact R.S. 33:2333(B)(2)(a) and to repeal R.S. 33:2333(B)(3), relative to the disposition of stolen, seized, or relinquished property; to provide with respect to the disposition of noncontraband property; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1969—**

BY REPRESENTATIVE SCHWEGMANN  
AN ACT

To enact R.S. 33:9076, relative to improvement districts; to provide for the continued levy of certain taxes and fees that support certain improvement districts; to provide for voting requirements; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 2030 (Substitute for House Bill No. 1083 by Representative Powell)—**

BY REPRESENTATIVE POWELL  
AN ACT

To enact Subpart B-33 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.611 through 130.619, to create the Hammond Area Economic and Industrial Development District; to provide relative to the boundaries and purposes of the district; to provide relative to the governing authority of the district and its powers and duties; to provide relative to taxes to be levied and collected in the district; to provide relative to the issuance of bonds; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 2032 (Substitute for House Bill No. 1593 by Representative Flavin)—**

BY REPRESENTATIVE FLAVIN  
AN ACT

To enact Subpart M of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:140.201 through 140.207, relative to physical development of parishes and municipalities; to provide with respect to the creation of a metropolitan planning commission in the parish of Calcasieu; to provide for the creation, organization, powers, and duties of a metropolitan planning commission; to provide with respect to the regulation of the subdivision and zoning of land in the metropolitan planning area; to provide for the adoption of ordinances prescribing minimum construction, health, and sanitation standards; to provide for joint or correlated action by the governing authority of any municipality within the parish and the police jury of Calcasieu Parish in the adoption of ordinances or other measures; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
DIANA E. BAJOE  
Chairman

**REPORT OF COMMITTEE ON**

**JUDICIARY A**

Senator Ellington, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

June 9, 2003

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

**HOUSE CONCURRENT RESOLUTION NO. 139—**

BY REPRESENTATIVES WINSTON AND FAUCHEUX  
A CONCURRENT RESOLUTION

To urge and request the Louisiana Judicial College to institute mandatory continuing legal education for judges on the family law topics of child custody and child support guidelines.

Reported with amendments.

**HOUSE CONCURRENT RESOLUTION NO. 149—**

BY REPRESENTATIVE ANSARDI  
A CONCURRENT RESOLUTION

To request the Judicial Council of the Supreme Court of Louisiana to study funding sources for the Lengthy Trial Fund created by House Bill No. 2008 of the 2003 Regular Session in the event that this legislation is subsequently passed and enacted into law.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 157—**

BY REPRESENTATIVE ANSARDI  
A CONCURRENT RESOLUTION

To request the Judicial Council of the Supreme Court of Louisiana to study the implementation of a one-day, one-trial system for petit juries.

Reported favorably.

**HOUSE BILL NO. 128—**

BY REPRESENTATIVE MONTGOMERY  
AN ACT

To enact R.S. 9:2795.3, relative to limitation of liability for motorized off-road vehicle activities; to provide for definitions; to provide for limitations of liability in certain circumstances; to provide for exceptions; to provide for the posting of signs and warnings; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 264—**

BY REPRESENTATIVES BALDONE AND DOWNER  
AN ACT

To enact R.S. 13:1904 (C), (D), and (E), relative to the destruction of certain records in the City Court of Houma; to authorize the clerk of court to destroy certain civil and criminal records; to provide for time limitations in the destructions of records; to provide for requirements prior to destruction; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 737—**

BY REPRESENTATIVE BALDONE  
AN ACT

To amend and reenact R.S. 35:1.1(A), 191(C)(3), and 391(6), relative to notaries; to provide for an increase in the amount of the required bond for non-attorney and ex officio notaries; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 813—**

BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 9:2801.1, relative to community property; to provide for the allocation of community property equal to the value of a pension or retirement plan when federal law precludes community classification.

Reported favorably.

**HOUSE BILL NO. 853—**

BY REPRESENTATIVES FARRAR, R. CARTER, FAUCHEUX, HEATON, AND WELCH  
AN ACT

To enact R.S. 13:996.60, relative to judicial expense fund accounts of the various district courts; to permit interest earned on money in other accounts of the district court to be deposited into the judicial expense fund account; to provide for an exception; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 883—**

BY REPRESENTATIVE BROOME

AN ACT

To amend and reenact R.S. 33:2870, 2891.4, 4720.16(C), 4720.29(A), and 4720.30(C) and to enact R.S. 33:2881, 4720.16(D), and 4720.29(D), relative to the post-adjudication sale or donation of adjudicated property; to authorize the purchaser or donee of such property to record an affidavit relative to notice procedures; to provide relative to the cancellation of encumbrances recorded against such property and to require the clerks of court to cancel encumbrances recorded against such property; to exempt such property from certain provisions governing the transfer of property acquired by the state or political subdivisions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1035—**

BY REPRESENTATIVES JOHNS, DIEZ, AND THOMPSON

AN ACT

To enact R.S. 13:5106(F), relative to driving while intoxicated; to provide for the injury or death of certain operators of motor vehicles; to provide a limitation of liability for the state, state agencies, and political subdivisions; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1051—**

BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact Code of Civil Procedure Article 1920, relative to court costs; to require the non-prevailing party to pay all costs if the suit is frivolous; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1098—**

BY REPRESENTATIVE JOHNS

AN ACT

To enact R.S. 38:2181(D), relative to public contracts; to provide for the venue for suits to enjoin the award of a competitively bid contract; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1171—**

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:442(3)(b), (c), and (d) and to repeal R.S. 48:442(3)(e), relative to expropriation by the Department of Transportation and Development; to delete references to the office of highways; to provide relative to the persons required to sign or approve certain information annexed to the petition to expropriate; to repeal requirements relative to mailing notification to property owners; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1237—**

BY REPRESENTATIVE WALSWORTH

AN ACT

To amend and reenact Code of Civil Procedure Articles 2332(A), 2636(1), and 3722 and to repeal Code of Civil Procedure Article 2639, relative to foreclosure; to provide for appraisals in judicial sales under fieri facias; to provide for authentic evidence in executory proceedings; to provide for enforcement by ordinary process; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1255—**

BY REPRESENTATIVE PEYCHAUD

AN ACT

To amend and reenact R.S. 9:2800(C) and (E), relative to limitations of liability for public entities; to provide a limitation of liability for public entities responding to reports of dangerous conditions; to provide definitions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1395—**

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact Civil Code Article 113, relative to interim spousal support; to provide for the termination of support; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1794—**

BY REPRESENTATIVE R. CARTER

AN ACT

To amend and reenact Code of Civil Procedure Article 970(C), relative to offer of judgment procedures; to provide for attorney fees; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1808—**

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact Code of Evidence Article 1001(3), relative to the contents of writings, recordings, and photographs; to include certain data within the definition of "original"; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1820—**

BY REPRESENTATIVE M. JACKSON

AN ACT

To enact Code of Evidence Article 518, relative to privileged communications; to provide for a testimonial privilege for certain communications made to a trained peer support member; to provide for definitions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1852—**

BY REPRESENTATIVE R. CARTER

AN ACT

To enact R.S. 13:996.60, relative to judicial expense funds of district courts; to establish a judicial expense fund for a district court comprised of two parishes with one parish having a population of between fourteen thousand seven hundred fifty and fifteen thousand two hundred fifty and one parish having a population between twenty-one thousand two hundred eighty and twenty-one thousand five hundred according to the most recent federal decennial census; to provide for assessment of fees in civil and criminal matters; to require the clerks of court to place all sums collected into a separate account designated as the judicial expense fund; to require annual audits; to provide for uses of the fund; to prohibit the use of the fund for salaries; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1884—**

BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact R.S. 9:4753, relative to privileges; to provide for the lien on proceeds recovered on account of injuries; to provide for the requirements necessary to effectuate the lien; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
NOBLE E. ELLINGTON  
Chairman

**REPORT OF COMMITTEE ON**

**AGRICULTURE, FORESTRY, AQUACULTURE  
AND RURAL DEVELOPMENT**

Senator Smith, Chairman on behalf of the Committee on Agriculture, Forestry, Aquaculture and Rural Development, submitted the following report:

June 10, 2003

To the President and Members of the Senate:

I am directed by your Committee on Agriculture, Forestry, Aquaculture and Rural Development to submit the following report:

**SENATE CONCURRENT RESOLUTION NO. 91—**

BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To create and provide for the Louisiana Rural Internet Access Commission to study and make recommendations with respect to solving problems associated with providing affordable and reliable Internet access to Louisiana's rural communities.

Reported with amendments.

**HOUSE BILL NO. 1427—**

BY REPRESENTATIVES POWELL, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, MORRISH, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact Part II-A of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:471 through 478 and R.S. 36:629(E)(6), relative to strawberries; to provide for the membership, powers, and duties of the Strawberry Marketing Board; to provide for assessments on the sale of strawberries; to provide for powers of the commissioner of agriculture and forestry; to provide for penalties; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
MIKE SMITH  
Chairman

**REPORT OF COMMITTEE ON**

**ENVIRONMENTAL QUALITY**

Senator Cain, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

June 10, 2003

To the President and Members of the Senate:

I am directed by your Committee on Environmental Quality to submit the following report:

**HOUSE BILL NO. 2016 (Substitute for House Bill No. 1060 by Representative Beard)—**

BY REPRESENTATIVE BEARD

AN ACT

To enact Chapter 17 of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:2391 through 2398, relative to reclaimed water; to establish a reclaimed water program; to provide for definitions; to prohibit the use of potable water for certain purposes if reclaimed water is available; to provide for the use of revenue collected from the sale of reclaimed water; to create a drought-proof supply of water for industry; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 2022 (Substitute for House Bill No. 1932 by Representative Daniel)—**

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 30:2015.1, relative to the remediation of usable ground water; to provide for purpose; to provide for notice of actions to recover damages for usable ground water contamination; to provide for certain state departments intervening or being made parties to such actions; to provide for remediation plans and response by certain state agencies; to provide for damages to be placed into the registry of the court; to provide for certain court costs; to provide for expenditure of funds from such registry; to provide for posting of bonds; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
JAMES DAVID CAIN  
Chairman

**REPORT OF COMMITTEE ON**

**JUDICIARY C**

Senator Lentini, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

June 10, 2003

To the President and Members of the Senate:

I am directed by your Committee on Judiciary C to submit the following report:

**HOUSE BILL NO. 121—**

BY REPRESENTATIVES SHAW AND ILES

AN ACT

To enact R.S. 32:295.3, relative to motor vehicle regulations; to prohibit drivers or operators from leaving children under the age of six unattended and unsupervised in motor vehicles; to provide for definitions; to provide for limitations of liability; to provide for applicability; to provide for penalties; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 404—**

BY REPRESENTATIVES HUDSON, CURTIS, LAFLEUR, MORRELL, NEVERS, JACK SMITH, TRICHE, WELCH, WINSTON, BRUCE, ROMERO, AND SNEED

AN ACT

To enact R.S. 14:79.2 and R.S. 46:2143, relative to domestic abuse assistance; to authorize the use of electronic monitoring equipment in certain domestic violence cases; to require the court to specify the terms of electronic monitoring; to provide for minimum requirements of electronic monitoring; to create the crime of tampering with electronic monitoring equipment; to provide for criminal penalties; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 884—**

BY REPRESENTATIVE HEATON

AN ACT

To enact Code of Criminal Procedure Articles 893(F) and 894(E) and R.S. 44:9(J), relative to expungement of criminal arrest records under the public records law; to provide for waiver of filing fees in certain cases; to provide for application; to provide for eligibility; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1061—**

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 26:906(C), relative to the permit process for obtaining a registration certification or permit to sell tobacco products; to authorize a dealer or vending machine operator to pay the annual renewal fee for a registration certification or permit by check; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1142—**

BY REPRESENTATIVE DOWNER

AN ACT

To enact R.S. 40:2405(F), relative to peace officer training requirements; to provide for a suspension of training requirements for certain Louisiana National Guard military police during certain emergency circumstances; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1641—**

BY REPRESENTATIVE DEVILLIER

AN ACT

To amend and reenact Code of Criminal Procedure Articles 262, 271(A), and 272, and to enact Code of Criminal Procedure Article 262.1 and 281, relative to extradition; to provide with respect to the authority of the governor in extradition cases; to provide with respect to admitting a person to bail in extradition cases; to provide with respect to the surrender of a person against whom a criminal prosecution is pending in this state; to provide authority to charge an extradited person with crimes other than the crime for which he was extradited; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1741—**

BY REPRESENTATIVE PINAC

AN ACT

To enact Chapter 8-A of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:871 through 878, relative to delivery sales of cigarettes; to provide for definitions; to provide relative to the regulation of sales of cigarettes when such sale is made pursuant to an order placed by means of telephone or other voice transmission, mail or other delivery service, or the Internet or online service or when delivery is made by mail or by delivery service; to provide for penalties for violations; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1846—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 14:95.3, relative to the crime of unlawful use of body armor; to revise the provision of law which makes

the use of body armor by persons who have been convicted of certain crimes a criminal offense; to provide that the possession of body armor by persons who have been convicted of certain crimes is a criminal offense; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
ARTHUR J. "ART" LENTINI  
Chairman

**House Bills and Joint Resolutions  
on Second Reading  
Reported by Committees**

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

**HOUSE BILL NO. 251—**

BY REPRESENTATIVE GUILLORY

AN ACT

To amend and reenact R.S. 32:863(A)(3)(a), relative to license plates; to provide for a maximum reinstatement fee for certain persons; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 425—**

BY REPRESENTATIVE PITRE

A JOINT RESOLUTION

Proposing to add Article VII, Section 21(J) of the Constitution of Louisiana, relative to ad valorem property tax exemptions; to exempt drilling rigs used exclusively for the exploration and development of minerals outside the territorial limits of the state in each parish in which the voters approve a proposition granting such exemption; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 696—**

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 32:57(D) and R.S. 33:1372(B), relative to traffic offenses; to provide for the payment of fines by mail in cases where persons plead nolo contendere; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 696 by Representative Johns

AMENDMENT NO. 1

On page 1, line 4, after "contendere;" insert "to provide for payment of fines by certified mail;"

AMENDMENT NO. 2

On page 1, at the end of line 13, change the ";" to a period "."

AMENDMENT NO. 3

On page 1, line 14, Change "however" to "~~however~~ However"

**AMENDMENT NO. 4**

On page 1, line 17, after "violation" insert: "unless the fine was paid by certified mail and the postmark indicates that the payment was mailed on or before the date indicated on the citation"

**AMENDMENT NO. 5**

On page 2, at the end of line 13, insert: "If the fine is paid by certified mail and the postmark indicates that the payment was mailed on or before the date indicated on the citation, the payment shall be considered to have been made timely and no further penalty or costs or other charges may be assessed."

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 775—**

BY REPRESENTATIVE POWELL

**AN ACT**

To amend and reenact R.S. 34:1951(A), relative to the South Tangipahoa Parish Port Commission; to provide relative to the compensation paid to members of such commission; to prohibit compensation, per diem, or travel reimbursement to be paid to such commissioners; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 775 by Representative Powell

**AMENDMENT NO. 1**

On page 2, delete lines 3 and 4, and insert the following: "member shall serve without compensation and shall not receive a per diem. The commission shall"

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 941—**

BY REPRESENTATIVE DIEZ

**AN ACT**

To amend and reenact R.S. 48:255.2, relative to public contracts of the Department of Transportation and Development; to provide relative to the performance of surety companies when a contractor defaults; to reduce the time allowed for a surety company to respond to notification of a contractor's default; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 941 by Representative Diez

**AMENDMENT NO. 1**

On page 1, line 14, change "thirty" to "fifteen"

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the

Senate, the amended bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 985—**

BY REPRESENTATIVE MCDONALD

**AN ACT**

To enact R.S. 33:2711.19, relative to municipal sales and use taxes; to authorize the governing authority of the city of Bastrop to levy and collect an additional sales and use tax; to authorize a sales tax district; to provide for voter approval; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1043—**

BY REPRESENTATIVE FAUCHEUX

**AN ACT**

To enact Chapter 30 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1261 through 1264, and R.S. 36:209(T), relative to the Manchac Parkway; to create the Manchac Parkway and to designate the Manchac Parkway area; to create the Manchac Parkway Commission as a state agency in the Department of Culture, Recreation and Tourism; to provide for the purpose and jurisdiction and the composition, powers, duties, functions, and responsibilities of the commission; to provide for the development and implementation of certain plans; to provide for the powers and duties of the department relative to the commission; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Reengrossed House Bill No. 1043 by Representative Fauchaux

**AMENDMENT NO. 1**

On page 5, line 5, after "compensation," delete the remainder of the line and delete line 6, and insert: "Commission members shall not be reimbursed for expenses incurred in the performance of their duties."

**AMENDMENT NO. 2**

On page 9, line 12, after "meeting" insert: "and receives funds for this purpose"

**AMENDMENT NO. 3**

On page 12, line 9, after "required," delete the remainder of the line and delete lines 10 and 11

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1046—**

BY REPRESENTATIVE DIEZ

**AN ACT**

To enact R.S. 32:1736, relative to the nonconsensual towing of motor vehicles; to provide for definitions; to require certain information on the billing invoice; to provide relative to certain written contracts; to provide relative to signage on certain private property; to require uniform fees; to provide relative to the enforcement of these provisions, including the inspection of billing invoices, contracts, and other information; to provide relative to penalties for noncompliance; to provide relative to a cause of action; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 1046 by Representative Diez

##### AMENDMENT NO. 1

On page 2, line 24, after "towed" insert "or if the provisions of Subsection (C) of this Section are applicable"

##### AMENDMENT NO. 2

On page 3, line 20, after "company" insert ", and the uniform towing fee"

##### AMENDMENT NO. 3

On page 3, line 23, after "office" insert "of the property owner and the business office"

##### AMENDMENT NO. 4

On page 3, at the end of line 24, insert the following: "The contract or agreement shall define the parking rules and reasons for towing. Property owners meeting the requirements of this Subsection shall not be required to tag a motor vehicle for removal or sign the billing invoice prior to towing."

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

##### HOUSE BILL NO. 1074—

BY REPRESENTATIVE DIEZ

##### AN ACT

To amend and reenact R.S. 48:346, relative to duties and functions of certain employees of the Department of Transportation and Development; to authorize the assistant secretary of the office of operations or the chief engineer to close any section of a highway under certain circumstances; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

##### HOUSE BILL NO. 1164—

BY REPRESENTATIVE DIEZ

##### AN ACT

To amend and reenact R.S. 48:261(A)(1), relative to maintenance work not performed by employees of the Department of Transportation and Development; to provide with respect to contracts for maintenance work to be let in accordance with the construction and maintenance bid procedures of the department; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 1164 by Representative Diez

##### AMENDMENT NO. 1

On page 2, line 7, after "with" insert "the public bid provisions of"

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

##### HOUSE BILL NO. 1297—

BY REPRESENTATIVE TRICHE

##### AN ACT

To amend and reenact R.S. 47:1577, relative to state tax obligations constituting a lien, privilege, and mortgage; to provide that state tax lien, privilege, and mortgage arise at the time the tax is assessed; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

##### HOUSE BILL NO. 1339—

BY REPRESENTATIVE GLOVER

##### AN ACT

To rename a portion of Louisiana Highway 3132 between Interstate 20 and Interstate 49, located in Caddo Parish, the Terry Bradshaw Passway; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

##### HOUSE BILL NO. 1406—

BY REPRESENTATIVE ROMERO

##### AN ACT

To enact R.S. 45:164(E), relative to common carriers; to provide relative to movers of household goods; to require all movers of household goods to comply with certain requirements; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Reengrossed House Bill No. 1406 by Representative Romero

##### AMENDMENT NO. 1

On page 1, line 9, after "E," insert "(1)"

##### AMENDMENT NO. 2

On page 2, after line 3, insert the following:

"(2)(a) Any carrier providing the intrastate transportation of household goods shall maintain a permanent establishment in the state. A permanent establishment shall mean a fixed place of business through which the business of the carrier is wholly or partly carried on. The place of business shall be a particular building or physical location used by the carrier for the conduct of its business, and it shall be foreseeable that the carrier's use of this building or other physical location shall be more than temporary. The permanent establishment may include a place of management, a branch, an office, or a terminal. The permanent establishment may be operated by an employee of the carrier or an agent of the carrier provided that the agent has and habitually exercises the authority to conclude transportation contracts in the name of the carrier.

(b) The carrier shall register the address and telephone number of its permanent establishment with the Secretary of State and the Public Service Commission. Service of process with respect to all civil, criminal, or administrative proceedings brought before any court or administrative agency located in the state may be served on the carrier at its permanent establishment by any means provided by

the applicable rules or procedure for that court or agency providing service of process."

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1514—**

BY REPRESENTATIVE POWELL

AN ACT

To enact R.S. 38:1483, relative to drainage channels or outfall canals in the parish of Tangipahoa; to provide for public status of certain channels or canals; to provide relative to the use of such channels or canals; to provide with respect to liability for acts causing damage or injury to such channels or canals; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 1514 by Representative Powell

**AMENDMENT NO. 1**

On page 1, line 2, after "enact" delete "R.S. 38:1483," and insert "Part I-A of Chapter 5 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:1491,"

**AMENDMENT NO. 2**

On page 1, line 11, after "Section 1." delete "R.S. 38:1483" and insert "Part I-A of Chapter 5 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:1491,"

**AMENDMENT NO. 3**

On page 1, between lines 11 and 12, insert the following:  
"PART I-A. MISCELLANEOUS PROVISIONS"

**AMENDMENT NO. 4**

On page 1, at the beginning of line 12, change "§1483." to "§1491."

**AMENDMENT NO. 5**

On page 1, line 14, after "created" change "by" to "pursuant to"

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1587—**

BY REPRESENTATIVE WALSWORTH

AN ACT

To enact R.S. 36:509(S) and Part XXVI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.191 through 3087.205, to create the West Ouachita Reservoir Commission as a political subdivision and state agency; to provide for a board of commissioners to manage the reservoir district; to provide for the powers and duties of the district including the power to levy taxes and issue bonds; to prohibit certain actions and to provide for penalties for certain actions; to provide relative to the district's coordination of certain efforts with the Department of Transportation and Development and the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No.

3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1598—**

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 34:1959 and 1961 and to enact R.S. 34:1959.1, relative to the South Tangipahoa Parish Port Commission; to provide relative to the commission's authority; to prohibit the authority from levying and collecting ad valorem and special taxes under certain circumstances; to require a special election for levy of ad valorem and special taxes in the future; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 1598 by Representative Powell

**AMENDMENT NO. 1**

On page 1, line 2, delete "and 1961"

**AMENDMENT NO. 2**

On page 1, line 12, change "and 1961 are" to "is"

**AMENDMENT NO. 3**

On page 2, delete lines 23 through 26 and on page 3, delete lines 1 through 13

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1786—**

BY REPRESENTATIVE ALARIO AND SENATOR B. JONES

AN ACT

To amend and reenact R.S. 17:3351.3(C) and to enact R.S. 17:1855.1, 3351.3(D), and 3351.7, to authorize the boards of supervisors of the Southern University System, the Louisiana State University System, and the University of Louisiana System to impose an academic excellence fee for students attending the institutions under the management and supervision of each board; to provide for the fee amounts; to provide relative to waivers for certain students; to provide limitations; to provide for effectiveness; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1800 (Substitute for House Bill No. 1076 by Representative Powell)—**

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 34:1951 and 1952 and to repeal R.S. 34:1952.1, relative to the South Tangipahoa Parish Port Commission; to provide that the governing authority of Tangipahoa Parish shall serve as the port commission; to delete provisions relative to the appointment, compensation, and vacancies, relative to commission members; to delete certain provisions relative to commission meetings; to provide relative to the powers of the governing authority; to authorize the governing authority to hire a port director; to provide relative to the port director's powers and duties; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 1800 by Representative Powell

##### AMENDMENT NO. 1

On page 1, line 2, after "1951" delete the remainder of the line and insert "(A) and (B)."

##### AMENDMENT NO. 2

On page 1, delete lines 4 through 9, and on line 10, delete "director's powers and duties" and insert "for membership of the South Tangipahoa Parish Port Commission"

##### AMENDMENT NO. 3

On page 1, line 15, change "and 1952 are" to "(A) and (B) is"

##### AMENDMENT NO. 4

On page 2, delete lines 1 through 26, and insert the following:  
§1951. Creation of South Tangipahoa Parish Port Commission

A. There is hereby created a commission to be known as the South Tangipahoa Parish Port Commission which shall be composed of seven members from the parish of Tangipahoa who shall be appointed ~~directly~~ by the governor for terms of six years as provided in Subsection (B) of this Section. ~~Each member shall receive compensation in the amount of seventy-five dollars per meeting, which shall be payable exclusively from self-generated revenues. The members of the board of commissioners shall serve without compensation.~~ The commission shall hold a regular meeting once each calendar month with a maximum of six additional special meetings annually. No more than three meetings may be held in any one calendar month.

B. ~~The members of the South Tangipahoa Parish Port Commission in office prior to the effective date of this Section shall cease to be members on the effective date hereof. On the effective date of this Section, the governor shall appoint seven members in accordance with the provisions of Subsection A of this Section to serve initial terms as follows: one member to serve for a term of two years; one member to serve for a term of three years; one member to serve for a term of four years; two members each to serve for a term of five years; and two members each to serve for a term of six years. Thereafter, the successors to each of the commissioners shall be appointed to serve for terms of six years in the manner provided in Subsection A of this Section. (1) The term of each member serving on July 1, 2003, shall expire as follows:~~

~~(a) The term of any member whose term prior to July 1, 2003, would have expired on October 1, 2003, shall expire on July 1, 2003.~~

~~(b) The term of any member whose term prior to July 1, 2003, would have expired on October 1, 2004, shall expire on July 1, 2003.~~

~~(c) The term of any member whose term prior to July 1, 2003, would have expired on October 1, 2005, shall expire on July 1, 2004.~~

~~(d) The term of any member whose term prior to July 1, 2003, would have expired on October 1, 2006, shall expire on July 1, 2005.~~

~~(e) The term of any member whose term prior to July 1, 2003, would have expired on October 1, 2008, shall expire on July 1, 2007.~~

~~(g) The term of any member whose term prior to July 1, 2003, would have expired on October 1, 2009, shall expire on July 1, 2008.~~

~~(2) Upon the expiration of the term of each member whose term expires as provided in Paragraph (1) of this Subsection or the creation of a vacancy in the seat of any such member, whichever occurs first, the governor shall appoint the successor to such member, subject to Senate confirmation, as follows and in the following order:~~

~~(a) First, one member from a list of three nominees submitted by the senator representing Senate District Six~~

~~(b) Second, one member from a list of three nominees submitted by the representative representing House of Representatives District Seventy-three.~~

~~(c) Third, one member from a list of three nominees submitted by the senator representing Senate District Eleven.~~

~~(d) Fourth, one member from a list of three nominees submitted by the Pontchatoula Chamber of Commerce.~~

~~(e) Fifth, one member from a list of three nominees submitted by the Hammond Chamber of Commerce.~~

~~(f) Sixth, one member from a list of three nominees submitted by the Tangipahoa Economic Development Foundation~~

~~(g) Seventh, one member from a list of three nominees submitted by the senator representing Senate District Six, the representative representing House of Representatives District Seventy-three, and the senator representing Senate District Eleven.~~

~~(3) Notwithstanding the provisions of Paragraph (2) of this Subsection, if on July 1, 2003, there are any vacancies, such vacancies shall be considered as the first seats to be filled in the manner provided in Paragraph (2).~~

~~(4) Notwithstanding the provisions of R.S. 42:2, the expiration of the term of a member shall result in a vacancy until a person is appointed and qualified to serve for the succeeding term.~~

\* \* \*

##### AMENDMENT NO. 5

On page 3, delete lines 1 through 26, and on page 4, delete lines 1 through 8, and insert:

"Section 2. This Act shall become effective on July 1, 2003; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2003, or on the day following such approval by the legislature, whichever is later."

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

#### HOUSE BILL NO. 1850—

BY REPRESENTATIVE HOPKINS

AN ACT

To amend and reenact R.S. 32:1720.1, relative to the towing and storage of motor vehicles; requires a repair or body shop operator to surrender a vehicle to a lienholder under certain circumstances; to require a lienholder to pay certain expenses prior to surrender of the vehicle; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

#### HOUSE BILL NO. 1928—

BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact R.S. 48:229, relative to the state highway system; to provide relative to priority reports on construction projects; to provide relative to the factors the Department of Transportation and Development shall consider when deciding the order of priorities; to require the department to consider certain factors when determining the order of priority projects; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

#### HOUSE BILL NO. 1935—

BY REPRESENTATIVE KATZ

AN ACT

To amend and reenact R.S. 47:463(A)(3), relative to special prestige license plates; to require an organization to prepay the secretary of the office of motor vehicles for one thousand license plates or provide a guarantee that one thousand license plates

will be purchased before such a plate is created; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 1935 by Representative Katz

#### AMENDMENT NO. 1

On page 2, at the bottom of the page, insert:

"(iii) The secretary shall provide for rules and regulations regarding such prepayment."

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

#### HOUSE BILL NO. 1943—

BY REPRESENTATIVE LEBLANC

#### AN ACT

To enact Chapter 31 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2091 through 2102, relative to the Lafayette Metropolitan Expressway Commission; to create and provide relative to the Lafayette Metropolitan Expressway Commission; to provide for certain definitions; to provide relative to the purpose, powers, jurisdiction, and duties of the commission; to establish a board of directors; to provide relative to directors; to provide relative to bonds, tolls, and other revenue; to provide relative to certain projects, acquisition of land, and utilities; to provide relative to public records; to provide for the cessation of tolls; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 1943 by Representative LeBlanc

#### AMENDMENT NO. 1

On page 12, line 6, after "property" delete the period "." and insert: "provided that, notwithstanding any other provision of law to the contrary, whenever any surplus property is acquired by the commission by eminent domain proceedings, the commission first shall offer to sell whatever rights it acquired back to the original owner or his successors in title, at the fair market value or at the original price paid, whichever is less."

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

#### HOUSE BILL NO. 1979—

BY REPRESENTATIVE FRITH

#### AN ACT

To enact R.S. 47:511(C), relative to accounts created under the International Registration Plan interstate compact; to provide for the refund of registration or licensure fees to owners of vehicles registered or licensed under certain circumstances; to provide procedures for such refunds; to provide for limitation of liability; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Reengrossed House Bill No. 1979 by Representative Frith

#### AMENDMENT NO. 1

On page 1, line 2, change "To enact" to "To amend and reenact R.S. 47:516(B) and to enact"

#### AMENDMENT NO. 2

On page 1, line 6, after "liability;" insert "to provide for vehicle licensing;"

#### AMENDMENT NO. 3

On page 1, line 9, after "Section 1." insert "R.S. 47:516(B) is hereby amended and reenacted and"

#### AMENDMENT NO. 4

On page 2, between lines 18 and 19, insert the following:

\* \* \*

§516. Vehicles improperly licensed; weighing, inspections and investigations; purchase of proper license required; penalty

\* \* \*

B. If upon weighing the vehicle it is found that it is improperly licensed, or if it is found that the certificate of registration issued for the vehicle is otherwise unlawful, the inspector or enforcement officer may impound the vehicle and may require the operator of the vehicle to purchase forthwith the proper license for and to properly register the vehicle. Twenty-five per centum of the annual price of the license or registration shall be added to the cost of purchasing the same as a penalty, which shall be in lieu of the penalties directed to be imposed by R.S. 47:508. There shall be credited against the price of this license or registration, the price of the license or registration on the vehicle at the time of its unlawful operation. However, in lieu of impoundment and immediate purchase of license and registration, a Department of Transportation and Development stationary weights and standards enforcement officer may issue a violation ticket in the amount of seventy-five dollars, in addition to any overweight penalties due as provided by R.S. 32:388, to any operator possessed of an improper Louisiana license and registration, may deposit the license plate or plates of said vehicle or combination of vehicles with the enforcement officer, who shall issue the operator a The violation ticket which shall serve as a receipt for said license plate. The violation ticket shall notify the owner and operator in writing to appear within five days to purchase the proper license for and to properly register said vehicle or combination of vehicles, and to pay any penalty due. This violation ticket shall be considered as a temporary license plate for a period not to exceed five days. In addition to any overweight penalties due as provided by R.S. 32:388, if the weight of the vehicle exceeds the manufacturer's gross vehicle weight rating or the manufacturer's gross combined vehicle weight rating, a fine of one hundred dollars shall be paid, in addition to the seventy-five dollar penalty, in lieu of registering the vehicle at the higher weight. Payments for penalties shall be remitted to the Transportation Trust Fund.

\* \* \*

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

### Reconsideration

On motion of Senator Michot, pursuant to the previous notice given, the vote by which the following bill failed to pass on Monday, June 9, 2003 was reconsidered.

**HOUSE BILL NO. 988—**

BY REPRESENTATIVES LEBLANC, PITRE, AND QUEZAIRE AND  
SENATOR MICHOT

**AN ACT**

To enact R.S. 40:1742.2, relative to mobility-impaired parking; to authorize parish governing authorities to grant variances in the times during which parking spaces are reserved at certain facilities; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Michot sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Michot to Reengrossed House Bill No. 988 by Representative LeBlanc

**AMENDMENT NO. 1**

On page 3, line 19, delete "both prospective and retroactive effect," and insert in lieu thereof "only prospective effect,"

**AMENDMENT NO. 2**

On page 3, line 20, after "Act" delete the remainder of the line and delete line 21 and insert in lieu thereof "shall be prospective only."

On motion of Senator Michot, the amendments were adopted.

The bill was read by title. Senator Michot moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Heitmeier	Michot
Adley	Hines	Mount
Barham	Holden	Romero
Boissiere	Hollis	Schedler
Chaisson	Hoyt	Smith
Dardenne	Lambert	Tarver
Dupre	Lentini	Theunissen
Ellington	Malone	
Fontenot	McPherson	
Total—25		

**NAYS**

Cain	Fields	Johnson
Cravins	Gautreaux	Jones, CD
Dean	Irons	Ullo
Total—9		

**ABSENT**

Bajoie	Jones, B	Thomas
Bean	Marionneaux	
Total—5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Senate Bills and Joint Resolutions  
Returned from the House  
of Representatives with Amendments**

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

**SENATE BILL NO. 500—**

BY SENATOR SCHEDLER

**AN ACT**

To amend and reenact R.S. 28:567(E) and R.S. 40:2103(C), 2116(D), and 2116.32(F)(2), and to enact R.S. 40:1300.143(3)(a)(viii) and (c), relative to moratoria on the licensing of mental health clinics and centers, long-term care hospital facilities, nursing facilities, and home health agencies; to extend the moratorium through July 1, 2008; to provide for a moratorium on the designation of rural hospitals for the purpose of the Rural Hospital Preservation Act; and to provide for related matters.

On motion of Senator Schedler, the bill was read by title and returned to the Calendar, subject to call.

**SENATE BILL NO. 567—**

BY SENATOR LENTINI

**AN ACT**

To enact R.S. 22:1514.3, relative to insurance policies; to provide for the surrender of a defendant for non-payment of premium; to provide for certain notification requirements upon surrender; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Gallot to Engrossed Senate Bill No. 567 by Senator Lentini

**AMENDMENT NO. 1**

On page 2, line 5, after "premium" and before the period ".", insert "without thirty days written notice, via certified mail to the defendant at the address designated pursuant to Code of Criminal Procedure Article 322"

**AMENDMENT NO. 2**

On page 3, line 10, between "premium" and "shall" insert "without thirty days written notice, via certified mail to the defendant at the address designated pursuant to Code of Criminal Procedure Article 322"

Senator Lentini moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Lentini
Adley	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Dardenne	Hoyt	Romero
Dean	Irons	Schedler
Dupre	Johnson	Smith
Ellington	Jones, CD	Theunissen

Fields	Lambert	Ullo
Total—33		
	NAYS	
Total—0		
	ABSENT	
Bajoie	Cravins	Tarver
Bean	Jones, B	Thomas
Total—6		

The Chair declared the amendments proposed by the House were rejected. Senator Lentini moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

### Senator Lambert in the Chair

#### SENATE BILL NO. 590— BY SENATOR DARDENNE

##### AN ACT

To amend and reenact R.S. 37:793(A)(1) and (2), (B)(1), (2), and (3), (D)(1) and (F), and to enact R.S. 37:795(B)(2)(q) and (r), relative to dentistry; to provide with respect to the administration of certain types of anesthesia; to provide for new fees; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Walsworth to Reengrossed Senate Bill No. 590 by Senator Dardenne

##### AMENDMENT NO. 1

On page 1, line 3, after "(F)," and before "relative" delete "and to enact R.S. 37:795(B)(2)(q) and (r),"

##### AMENDMENT NO. 2

On page 1, line 5, after "anesthesia;" and before "and" delete "to provide for new fees;"

##### AMENDMENT NO. 3

On page 5, delete lines 25 and 26

##### AMENDMENT NO. 4

On page 6, delete lines 1 through 13

Senator Dardenne moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fontenot	Lentini
Barham	Gautreaux	Malone
Boissiere	Heitmeier	Marionneaux
Cain	Hines	McPherson
Chaisson	Holden	Mount
Cravins	Hollis	Romero
Dardenne	Hoyt	Schedler
Dean	Irons	Smith
Dupre	Johnson	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—33		
	NAYS	

Total—0	ABSENT
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Mr. President	Bean	Michot
Bajoie	Jones, B	Thomas
Total—6		

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

#### SENATE BILL NO. 715—

BY SENATOR B. JONES

##### AN ACT

To enact R.S. 56:410.8, relative to Lake D'Arbonne; to regulate the use of trotlines on Lake D'Arbonne; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Engrossed Senate Bill No. 715 by Senator B. Jones

##### AMENDMENT NO. 1

On page 2, line 7 change "be" to "the"

Senator B. Jones moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

#### NAYS

Total—0	ABSENT
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Mr. President	Bean	Thomas
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator B. Jones moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

### Mr. President in the Chair

**SENATE BILL NO. 759—**  
BY SENATOR THEUNISSEN

## AN ACT

To amend and reenact R.S. 17:3398.2, relative to business and industry advisory boards for institutions of postsecondary education; to create and provide for the Process Technology Advisory Board; to provide for its membership; to provide for its mission; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Crane to Engrossed Senate Bill No. 759 by Senator Theunissen

AMENDMENT NO. 1

On page 2 delete lines 23 and 24 in their entirety and insert in lieu thereof the following:

"(h) Two citizens with expertise in process technology appointed at-large by the governor."

AMENDMENT NO. 2

On page 3, line 9, after "(c)" and before "curriculum" change "Facilitate and approve" to "Recommend"

Senator Theunissen moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Ulló
Ellington	Lentini	
Total—35		

**NAYS**

Total—0

**ABSENT**

Bean	Jones, B
Hoyt	Thomas
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Theunissen moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 901—**  
BY SENATOR JOHNSON

## AN ACT

To amend and reenact R.S. 40:1300.26 and 1300.46, relative to health; to authorize adoption of ordinances regulating smoking in the workplace and public places; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Bill No. 901 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 2, after "1300.46" insert "and to enact R.S. 40:1300.28 and 1300.48"

AMENDMENT NO. 2

On page 1, line 4, after "places:" insert "to provide for exemptions:"

AMENDMENT NO. 3

On page 1, line 7, after "reenacted" and before "to" insert "and R.S. 40:1300.28 and 1300.48 are hereby enacted"

AMENDMENT NO. 4

On page 1, line 12, after "regulations" insert "related to smoking in an office workplace"

AMENDMENT NO. 5

On page 1, line 13, change "Chapter" to "Part"

AMENDMENT NO. 6

On page 2, line 1, change "Chapter" to "Part"

AMENDMENT NO. 7

On page 2, between lines 2 and 3 insert the following:

"§1300.28. Prohibition on local regulation for certain locations  
A. Notwithstanding any provision of law to the contrary, no municipal or parish governing authority, or political subdivision of this state shall adopt ordinances, rules, or regulations which are more restrictive than the provisions of this Part relating to smoking in any of the following places:

- (1) Any property where gaming operations are conducted.
- (2) Hotel guest rooms.
- (3) Restaurant or alcoholic beverage establishment or facility.
- (4) Tobacco business or shop.

B. For the purposes of this Section:

(1) "Gaming operations" means the conducting or assisting in the conducting of gaming activities or operations upon a riverboat, at the official gaming establishment, by operating an electronic video draw poker device, by a charitable gaming licensee, or at a pari-mutuel wagering facility or offtrack wagering facility which is licensed for operation and regulated under the provisions of Chapter 4 of Title 4, Chapters 4, 5, 6, and 7 of Title 27, or Chapter 11 of Title 4 of the Louisiana Revised Statutes of 1950, or any other gaming operation authorized by law.

(2) "Property" means the designated gaming space and facilities owned, or leased or operated by a licensee or the casino operator that are part of the same facility or complex at which the gaming operations are located including, without limitation, any hotel, restaurant, bar, retail facility, showroom, ballroom or entertainment center.

(3) "Restaurant or alcoholic beverage establishment or facility" means any establishment holding a permit, license, or certificate issued pursuant to the provisions of R.S. 26:71(A)(3)(a), 71.1, 72, 73, 271(A)(2), 271.1, 271.2, and 272.

(4) "Tobacco business or shop" means a sole proprietorship, partnership, corporation, limited liability company or other enterprise in which the primary activity is the sale, manufacture or promotion of tobacco, tobacco products and accessories at wholesale or retail or any premises owned or leased by a tobacco product manufacturer, importer, distributor, or leaf dealer and principally devoted to the manufacture, importation or sale of tobacco or tobacco products.

\* \* \*

AMENDMENT NO. 8

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On page 2, line 7, after "regulations" insert "related to smoking in public places"

## AMENDMENT NO. 9

On page 2, line 9, change "Chapter" to "Part"

## AMENDMENT NO. 10

On page 2, line 13, change "Chapter" to "Part"

## AMENDMENT NO. 11

On page 2, after line 13, insert:

"\* \* \*

§1300.48. Prohibition on local regulation for certain locations  
A. Notwithstanding any provision of law to the contrary, no municipal or parish governing authority, or political subdivision of this state shall adopt ordinances, rules, or regulations which are more restrictive than the provisions of this Part relating to smoking in any of the following places:

- (1) Any property where gaming operations are conducted.
- (2) Hotel guest rooms.
- (3) Restaurant or alcoholic beverage establishment or facility.
- (4) Tobacco business or shop.

B. For the purposes of this Section:

(1) "Gaming operations" means the conducting or assisting in the conducting of gaming activities or operations upon a riverboat, at the official gaming establishment, by operating an electronic video draw poker device, by a charitable gaming licensee, or at a pari-mutuel wagering facility or offtrack wagering facility which is licensed for operation and regulated under the provisions of Chapter 4 of Title 4, Chapters 4, 5, 6, and 7 of Title 27, or Chapter 11 of Title 4 of the Louisiana Revised Statutes of 1950, or any other gaming operation authorized by law.

(2) "Property" means the designated gaming space and facilities owned, or leased or operated by a licensee or the casino operator that are part of the same facility or complex at which the gaming operations are located including, without limitation, any hotel, restaurant, bar, retail facility, showroom, ballroom or entertainment center.

(3) "Restaurant or alcoholic beverage establishment or facility" means any establishment holding a permit, license, or certificate issued pursuant to the provisions of R.S. 26:71(A)(3)(a), 71.1, 72, 73, 271(A)(2), 271.1, 271.2, and 272.

(4) "Tobacco business or shop" means a sole proprietorship, partnership, corporation, limited liability company or other enterprise in which the primary activity is the sale, manufacture or promotion of tobacco, tobacco products and accessories at wholesale or retail or any premises owned or leased by a tobacco product manufacturer, importer, distributor, or leaf dealer and principally devoted to the manufacture, importation or sale of tobacco or tobacco products."

## HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed Senate Bill No. 901 by Senator Johnson

## AMENDMENT NO. 1

On page 1, line 10, insert "A." before "Any"

## AMENDMENT NO. 2

On page 2, between lines 1 and 2, insert the following:

"B. Any ordinance, rule or regulation adopted pursuant to R.S. 40:1300.26 and 1300.46 shall not be applicable to the exemptions provided for in R.S. 40:1300.25."

## AMENDMENT NO. 3

On page 2, line 5, insert "A." before "Any"

## AMENDMENT NO. 4

On page 2, after line 13, insert the following:

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"B. Any ordinance, rule or regulation adopted pursuant to R.S. 40:1300.26 and 1300.46 shall not be applicable to the exemptions provided for in R.S. 40:1300.25."

## HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Toomy to Engrossed Senate Bill No. 901 by Senator Johnson

## AMENDMENT NO. 1

On page 2, after line 13, insert the following:

"Section 2. The provisions of this Act shall not be deemed nor construed to preempt, supersede, repeal, or otherwise affect any ordinance of a local governing body which was adopted prior to September 1, 1993, pursuant to R.S. 40:1300.27."

Senator Johnson moved to concur in the amendments proposed by the House.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—37		

### NAYS

Total—0

### ABSENT

Bean	Thomas
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Johnson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

## Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments, Subject to Call

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments, Subject to Call were taken up and acted upon as follows:

## Called from the Calendar

Senator Lentini asked that Senate Bill No. 1040 be called from the Calendar at this time.

**SENATE BILL NO. 1040—**  
BY SENATOR LENTINI

## AN ACT

To amend and reenact R.S. 26:2(7), 71(A)(introductory paragraph) and (1), 80(C)(2), 85, 271(A)(introductory paragraph) and (5), 273(A)(2) through (5) and (B), and to enact R.S. 26:2(20), relative to alcoholic beverages; to require certain persons to obtain a permit to deal in alcoholic beverages; to provide for requirements; to provide exemptions; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Judiciary to Reengrossed Senate Bill No. 1040 by Senator Lentini

AMENDMENT NO. 1

On page 1, at the beginning of line 3, delete "80(C)(2)," and insert in lieu thereof "80(B) and (C)(2),"

AMENDMENT NO. 2

On page 1, line 4, after "(B)," and before "and" insert "280(B)"

AMENDMENT NO. 3

On page 1, line 3, change "80(C)(2)" to "80(B) and (C)(2)"

AMENDMENT NO. 4

On page 1, line 11, after "and (B)" and before "are" insert a comma ", and 280(B)"

AMENDMENT NO. 5

On page 2, at the end of line 3, after "who" delete the remainder of the line

AMENDMENT NO. 6

On page 2, at the beginning of line 4, delete "indirectly,"

AMENDMENT NO. 7

On page 3, between lines 9 and 10, insert the following:

"B. If the applicant is a partnership recognized by Louisiana law, or anyone in such partnership with or financed by another, all members of such partnership, or all the persons furnishing the money shall also possess the qualifications required of an applicant. The application shall name all partners or financial backers and furnish their social security numbers and proper addresses. If a partner of a partnership applying for retail permits is a corporation or limited liability company, the requirements as to citizenship and residence shall not apply to officers, directors, and stockholders of the corporation or members of the limited liability company. The corporation or limited liability company shall either be organized under the laws of the state of Louisiana or qualified to do business within the state of Louisiana."

AMENDMENT NO. 8

On page 4, between lines 23 and 24, insert asterisks "\*" \*  
\*"

AMENDMENT NO. 9

On page 5, at the end of line 22, after "1946." insert "This prohibition does not apply to any person who has been recognized as an out of state manufacturer and who has held a Louisiana wholesale dealer permit for at least fifteen years prior to January 31, 2003."

AMENDMENT NO. 10

On page 6, between lines 12 and 13, insert the following:

"§280. Qualifications of applicants for permits  
\* \* \*

B. If the applicant is a partnership recognized by Louisiana law, or anyone in such partnership with or financed by another, all members of such partnership, or all the persons furnishing the money shall also possess the qualifications required of an applicant. The application shall name all partners or financial backers and furnish their social security numbers and proper addresses. If a partner of a partnership applying for retail permits is a corporation or limited liability company, the requirements as to citizenship and residence shall not apply to officers, directors, and stockholders of the corporation or members of the limited liability company. The corporation or limited liability company shall either be organized under the laws of the state of Louisiana or qualified to do business within the state of Louisiana.  
\* \* \*

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Townsend to Reengrossed Senate Bill No. 1040 by Senator Lentini

AMENDMENT NO. 1

On page 2, at the end of line 3, delete "directly or"

AMENDMENT NO. 2

On page 2, at the beginning of line 4, delete "indirectly,"

Senator Lentini moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Dardenne	Hoyt	Romero
Dean	Irons	Schedler
Dupre	Johnson	Smith
Ellington	Jones, CD	Tarver
Fields	Lambert	Theunissen
Fontenot	Lentini	Ullo
Total—33		

**NAYS**

Total—0

**ABSENT**

Mr. President	Bean	Jones, B
Bajoie	Cravins	Thomas
Total—6		

The Chair declared the amendments proposed by the House were concurred in. Senator Lentini moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Senator Ellington in the Chair****Rules Suspended**

Senator Adley asked for and obtained a suspension of the rules for the purpose of advancing to the order of

## House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

### HOUSE BILL NO. 330—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3515(D), relative to consumer lenders; to provide for exceptions; to provide relative to the sale of certain property by consumer lenders; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lambert	
Total—35		

#### NAYS

Total—0

#### ABSENT

Mr. President	Lentini
Bean	Thomas
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 333—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1472.3(A) and R.S. 51:655(A) and (B)(2) and 658(A)(2) and to enact R.S. 51:650(9) through (12) and 655(E), relative to fireworks; to revise provisions relative to the public display of fireworks; to provide for definitions; to provide for penalties; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux

Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lambert	
Total—35		

#### NAYS

Total—0

#### ABSENT

Mr. President	Lentini
Bean	Thomas
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 514—

BY REPRESENTATIVE PINAC

AN ACT

To repeal R.S. 9:3554.2(B) and Part XVIII of Chapter 2 of Code Title XII of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:3576.1 through 3576.24, relative to collection agencies; to provide relative to the Office of Financial Institutions; to repeal licensing and regulatory provisions regarding collection agencies.

The bill was read by title. Senator Hollis moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fields	Lambert
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Boissiere	Heitmeier	McPherson
Cain	Hines	Michot
Chaisson	Holden	Mount
Cravins	Hollis	Romero
Dardenne	Hoyt	Schedler
Dean	Irons	Smith
Dupre	Johnson	Tarver
Ellington	Jones, CD	Theunissen
Total—33		

#### NAYS

Total—0

#### ABSENT

Mr. President	Jones, B	Thomas
Bean	Lentini	Ullo
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 581—**

BY REPRESENTATIVES DEWITT AND BRUCE  
AN ACT

To amend and reenact R.S. 33:4161, relative to public utilities; to include emergency medical services in the definition of revenue-producing public utility; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lambert	
Total—35		

**NAYS**

Total—0

**ABSENT**

Mr. President	Lentini
Bean	Thomas
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 589—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To enact R.S. 1:55(E)(1)(d), relative to legal holidays; to require the clerk of court in the parishes of St. James and St. John the Baptist to close their offices on days proclaimed by the governor to be a holiday; to provide for an exception; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo

Fields	Lambert
Total—35	

**NAYS**

Total—0

**ABSENT**

Mr. President	Lentini
Bean	Thomas
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 618—**

BY REPRESENTATIVE FLAVIN  
AN ACT

To amend and reenact R.S. 22:1460, relative to insurance agents; to specify the manner in which certain life and health insurance agents may obtain information from applicants; and to provide for related matters.

The bill was read by title. Senator Malone moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Malone	
Total—34		

**NAYS**

Total—0

**ABSENT**

Mr. President	Jones, B	Thomas
Bean	Lentini	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 684—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 45:844.12(4)(f), relative to telephones; to provide relative to telephonic solicitations; to provide for definitions; to provide for exceptions; and to provide for related matters.

**Floor Amendments Sent Up**

Senator McPherson sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

June 10, 2003

Amendments proposed by Senator McPherson to Engrossed House Bill No. 684 by Representative Pinac

## AMENDMENT NO. 1

On page 2, line 15, after "Communications" insert the following: "other than those made for the purpose of selling subscriptions"

Senator McPherson moved adoption of the amendments.

Senator Fontenot objected.

## ROLL CALL

The roll was called with the following result:

### YEAS

Barham	Dean	Jones, CD
Boissiere	Dupre	Lentini
Cain	Fields	Marionneaux
Chaisson	Heitmeier	McPherson
Cravins	Johnson	Romero
Dardenne	Jones, B	Schedler
Total—18		

### NAYS

Adley	Holden	Mount
Bajoie	Hollis	Smith
Ellington	Irons	Tarver
Fontenot	Lambert	Theunissen
Gautreaux	Malone	Ullo
Hines	Michot	
Total—17		

### ABSENT

Mr. President	Hoyt
Bean	Thomas
Total—4	

## Ruling from the Chair

Senator Hoyt requested a ruling from the Chair regarding a re-vote on the amendment by Senator McPherson. He stated he attempted to vote but his machine malfunctioned. The Chair declared a re-vote was in order because Senator Hoyt rose to protest, but was not recognized, before the vote was announced.

## ROLL CALL

The roll was called with the following result:

### YEAS

Barham	Boissiere	Cain
Cravins	Dardenne	Fields
Heitmeier	Hollis	Jones, B
Lentini	Marionneaux	McPherson
Total—12		

### NAYS

Bajoie	Chaisson	Dean
Dupre	Ellington	Fontenot
Gautreaux	Hines	Holden
Hoyt	Irons	Johnson
Lambert	Malone	Michot
Mount	Romero	Schedler
Smith	Theunissen	Ullo
Total—21		

### ABSENT

Mr. President
CD Jones
Total—6

Adley
Tarver

Bean
Thomas

The Chair declared the amendments were rejected.

## Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

## SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed House Bill No. 684 by Representative Pinac

## AMENDMENT NO. 1

On page 2, line 12, after "issue" insert "provided that the caller identify themselves"

On motion of Senator Hines, the amendments were adopted.

The bill was read by title. Senator Fontenot moved final passage of the amended bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Adley	Gautreaux	Mount
Bajoie	Hines	Romero
Boissiere	Holden	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fontenot	Michot	
Total—25		

### NAYS

Barham	Heitmeier	Malone
Cravins	Hollis	Marionneaux
Dardenne	Jones, B	McPherson
Fields	Lentini	
Total—11		

### ABSENT

Mr. President
Total—3

Bean
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Thomas
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The Chair declared the amended bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## HOUSE BILL NO. 688—

BY REPRESENTATIVE PINAC

## AN ACT

To amend and reenact R.S. 37:3286(A)(1)(d) and (e), (2)(a) and (b), and (3)(b), (c), (e), and (f) and to enact R.S. 37:3286(A)(3)(j) and (k), relative to fees assessed by the Louisiana State Board of Private Security Examiners; to provide for fees for baton instruction; to increase certain fees; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

June 10, 2003

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneau
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Mr. President	Bean	Thomas
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 689—**

BY REPRESENTATIVES FARRAR AND DEWITT  
AN ACT

To enact Chapter 5-I of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.61 through 380.66, and R.S. 36:744(T) and 801.13, to create the Tioga Heritage Park and Museum; to provide for a museum governing board including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Gautreaux	Malone
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Smith
Dean	Irons	Tarver
Dupre	Johnson	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lambert	
Fontenot	Lentini	
Total—31		

**NAYS**

Bajoie	Dardenne
Total—2	

**ABSENT**

Mr. President	Jones, B	Schedler
Bean	Marionneau	Thomas
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 694—**

BY REPRESENTATIVES ANSARDI, BOWLER, CAPELLA, DAMICO, MARTINY, MONTGOMERY, SCALISE, THOMPSON, TOOMY, AND SCHNEIDER AND SENATOR LENTINI  
AN ACT

To enact R.S. 44:3.1, relative to records of public bodies; to exempt certain records pertaining to security procedures from public records laws; to provide terms and conditions; and to provide for related matters.

The bill was read by title. Senator Ullo moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—34		

**NAYS**

Total—0

**ABSENT**

Mr. President	Jones, B	Thomas
Bean	Marionneau	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 701—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 40:1563(B)(4), 1573, and 1575, relative to fire protection; to prohibit the fire marshal from inspecting "one- or two-family dwellings"; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Ullo
Fields	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Jones, B
Bean	Thomas
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## HOUSE BILL NO. 703—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:969.26(D), relative to motor vehicle sales finance; to provide relative to gap insurance coverage; to provide relative to lenders; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Jones, B	Thomas
Bean	Marionneaux	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## HOUSE BILL NO. 722—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 51:61, 64, and 65, relative to foreign trade zones; to authorize the England Economic and Industrial Development District to make applications to be designated as a foreign trade zone; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	
Fields	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Jones, B	Ullo
Bean	Thomas	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## HOUSE BILL NO. 767—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 22:15(B)(1)(c), (e), (g), (o), (p), (q), and (r) and (2)(a)(iv), (vi), (vii), and (xvi) and (b)(vii) and (x), and (c)(vii), (x), and (xi), to enact R.S. 22:15(B)(1)(t) and (2)(a)(xvii), (b)(xi) and (xii), and (c)(xii) and (xiii), and to repeal R.S. 22:15(B)(1)(b) and (2)(a)(iii), relative to the Louisiana Property and Casualty Insurance Commission; to provide for membership; to provide for designees; and to provide for related matters.

The bill was read by title. Senator Malone moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler

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Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Ullo
Fields	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Jones, B
Bean	Thomas
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 918—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To enact Part VI of Chapter 2 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:91 through 94, relative to birth certificates; to provide for the issuance of certificates of stillbirth; to provide for delayed certificates of stillbirth; to provide for certified copies and fees; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields	Malone	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Hines	Thomas
Bean	Jones, B	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 949—**

BY REPRESENTATIVE BRUCE  
AN ACT

To enact Chapter 5-I of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.61 through 380.66, and R.S. 36:744(T) and 801.13, to create the Mansfield Women's College Museum in the Department of State; to provide relative

to the governing authority of the museum including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Smith
Dupre	Johnson	Tarver
Ellington	Jones, CD	Theunissen
Fontenot	Lambert	Ullo
Gautreaux	Malone	
Total—26		

NAYS

Dardenne	Fields	Lentini
Dean	Hollis	
Total—5		

ABSENT

Mr. President	Cravins	Schedler
Adley	Jones, B	Thomas
Bean	Marionneaux	
Total—8		

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 951—**

BY REPRESENTATIVE WINSTON  
AN ACT

To amend and reenact R.S. 46:449(A)(1), relative to the family responsibility program; to designate the Department of Health and Hospitals to administer the program; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo

Fields  
Fontenot  
Total—34

Lambert  
Lentini

NAYS

Total—0

ABSENT

Mr. President  
Bean  
Total—5

Cravins  
Marionneaux

Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 953—

BY REPRESENTATIVE WINSTON

AN ACT

To enact Children's Code Article 1461.1, relative to mental health; to provide for communication with a parent or guardian of a confined minor child; to specify the type of information to be given by the confining facility; and to provide for related matters.

### Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Reengrossed House Bill No. 953 by Representative Winston

#### AMENDMENT NO. 1

On page 2, at the end of line 17, insert the following: "Additionally, any such detailed written notice shall also be transmitted within forty-eight hours to the local protection and advocacy system established under 42 U.S.C.A. §15041 et seq."

On motion of Senator Schedler, the amendments were adopted.

The bill was read by title. Senator Schedler moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Adley  
Bajoie  
Barham  
Boissiere  
Cain  
Chaisson  
Dardenne  
Dean  
Dupre  
Ellington  
Fields  
Fontenot  
Total—34

Gautreaux  
Heitmeier  
Hines  
Holden  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, CD  
Lambert  
Lentini

NAYS

Total—0

ABSENT

Mr. President  
Bean

Cravins  
Marionneaux

Thomas

Total—5

The Chair declared the amended bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 954—

BY REPRESENTATIVES WINSTON, SCHWEGMANN, STRAIN, ERDEY, MCVEA, NEVERS, AND POWELL

AN ACT

To amend and reenact R.S. 39:1533(A) and to enact Part IX-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:382.1 and 771(E) and Chapter 16 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:851 through 856, and R.S. 36:254(H) and 258(H), relative to human services; to provide a statewide framework to govern the delivery of mental health, developmental disabilities, and addictive disorders services funded by appropriations from the state; to create the Florida Parishes Human Services Authority; to provide for powers, duties, and functions of the authority; to create a governing board and provide for membership, powers, duties, and functions; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the authority; to provide for transfer of employees; and to provide for related matters.

### Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Reengrossed House Bill No. 954 by Representative Winston

#### AMENDMENT NO. 1

On page 2, line 19, delete "2005" and insert "2004"

#### AMENDMENT NO. 2

On page 2, line 22, delete "2007" and insert "2005"

#### AMENDMENT NO. 3

On page 2, line 24, after "framework" insert "provided, however, that no functions or funds shall be transferred from the department to the authority nor services or programs performed by the authority prior to July 1, 2004"

#### AMENDMENT NO. 4

On page 16, line 23, after "The provisions" delete "of this Section and of Section 2"

#### AMENDMENT NO. 5

On page 17, delete lines 3 through 6

On motion of Senator Schedler, the amendments were adopted.

The bill was read by title. Senator Schedler moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Adley  
Bajoie  
Barham  
Boissiere  
Cain

Gautreaux  
Heitmeier  
Hines  
Holden  
Hollis

Malone  
McPherson  
Michot  
Mount  
Romero

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Chaisson  
Dardenne  
Dean  
Dupre  
Ellington  
Fields  
Fontenot  
Total—34

Hoyt  
Irons  
Johnson  
Jones, B  
Jones, CD  
Lambert  
Lentini

Schedler  
Smith  
Tarver  
Theunissen  
Ullo

NAYS

Total—0

ABSENT

Mr. President  
Bean  
Total—5

Cravins  
Marionneaux

Thomas

The Chair declared the amended bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 957—**

BY REPRESENTATIVES WELCH AND MURRAY  
AN ACT

To enact R.S. 46:153.3(C), relative to prescription drugs used in the treatment of HIV/AIDS, hepatitis C, and schizophrenia; to provide a list of drugs which shall be exempt from the Department of Health and Hospitals' reimbursement limits or prior approval requirements; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley  
Bajoie  
Barham  
Boissiere  
Cain  
Chaisson  
Dardenne  
Dean  
Dupre  
Ellington  
Fields  
Fontenot  
Total—35

Gautreaux  
Heitmeier  
Hines  
Holden  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, CD  
Lambert  
Lentini

Malone  
Marionneaux  
McPherson  
Michot  
Mount  
Romero  
Schedler  
Smith  
Tarver  
Theunissen  
Ullo

NAYS

Total—0

ABSENT

Mr. President  
Bean  
Total—4

Cravins  
Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1039—**

BY REPRESENTATIVE WINSTON  
AN ACT

To repeal R.S. 22:1534 as enacted by Act No. 320 of the 1970 Regular Session of the Legislature and R.S. 22:1534 as enacted by Act No. 738 of the 1970 Regular Session of the Legislature,

relative to group insurance; to repeal the prohibitions against group insurance for property and casualty insurance.

The bill was read by title. Senator Hollis moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley  
Barham  
Boissiere  
Cain  
Chaisson  
Dean  
Dupre  
Fields  
Fontenot  
Gautreaux  
Heitmeier  
Total—32

Hines  
Holden  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, CD  
Lambert  
Lentini  
Malone

Marionneaux  
McPherson  
Michot  
Mount  
Romero  
Schedler  
Smith  
Tarver  
Theunissen  
Ullo

NAYS

Total—0

ABSENT

Mr. President  
Bajoie  
Bean  
Total—7

Cravins  
Dardenne  
Ellington

Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1147—**

BY REPRESENTATIVE DURAND  
AN ACT

To amend and reenact R.S. 28:381(11) and to enact R.S. 28:20, relative to admission to or services of treatment facilities of the Department of Health and Hospitals; to limit admission to or services of such facilities to persons who meet certain criteria; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Cravins sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Cravins to Reengrossed House Bill No. 1147 by Representative Durand

**AMENDMENT NO. 1**

On page 2, line 2 after "shall" insert the following:

"include an assurance of an assessment by a multi-disciplinary team, a time frame for the assessment process to take place, an appeal process if it is found the individual does not meet admission criteria, and develop a plan of care in the event the individual does meet eligibility criteria for services from either the office of mental health or the office for citizens with developmental disabilities and shall"

**AMENDMENT NO. 2**

On page 2, line 4 after "R.S. 28:2 through 171" insert the following: "or the rights guaranteed in R.S. 28:390(B)(1) and (2). The department shall submit an annual report which includes but is not limited to the number of individuals who were assessed as a result of this statute, the results of the assessments, and the disposition of each

individual who did not met the criteria for admission to both the Senate Committee on Health and Welfare and the House Committee on Health and Welfare. No individually identifiable health information shall be provided to the committees"

On motion of Senator Cravins, the amendments were adopted.

The bill was read by title. Senator Schedler moved final passage of the amended bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Fontenot	Lentini	
Total—35		

### NAYS

Total—0

### ABSENT

Mr. President	Cravins
Bean	Thomas
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## HOUSE BILL NO. 1149—

BY REPRESENTATIVE BOWLER

### AN ACT

To enact R.S. 22:250.20, relative to health insurance; to provide relative to the compliance of health insurance issuers with state law relative to the Gramm-Leach-Bliley Act; and to provide for related matters.

## Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed House Bill No. 1149 by Representative Hebert

#### AMENDMENT NO. 1

On page 1, line 2, after "enact" delete "R.S. 22:250.20," and insert "R.S. 22:228.1(B)(12) and (C) and 250.20,"

#### AMENDMENT NO. 2

On page 1, line 4, after "Act;" insert the following: "to provide with respect to small group and individual health insurance rating; to provide for medical savings account policies;"

#### AMENDMENT NO. 3

On page 1, line 6, after "1." delete "R.S. 22:250.20 is" and insert "R.S. 22:228.1(B)(12) and (C) and 250.20 are"

#### AMENDMENT NO. 4

On page 1, between lines 7 and 8, insert the following:

"§228.1. Health insurance plans subject to rate limitations

\* \* \*

B. Definitions. Notwithstanding any law to the contrary, the following terms shall be defined as follows:

\* \* \*

(12) "Medical savings account policy" means a high deductible health plan which is qualified to be used in conjunction with a medical savings account as provided in 26 U.S.C.A. 220 et seq.

C. Group and individual medical saving account policies are excluded from the provisions of R.S. 22:228.1 through 228.6.

\* \* \*

On motion of Senator Boissiere, the amendments were adopted.

## Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Engrossed House Bill No. 1149 by Representative Bowler

#### AMENDMENT NO. 1

On page 1, line 2, after "enact" change "R.S. 22:250.20" to R.S. 22:228.1(B)(12) and (C) and 250.20"

#### AMENDMENT NO. 2

On page 1, line 4, after "Act;" insert "to provide with respect to small group and individual health insurance rating; to provide for medical savings account policies;"

#### AMENDMENT NO. 3

On page 1, line 6, after "Section 1." change "R.S. 22:250.20 is" to "R.S. 228.1(B)(12) and (C) and 250.20 are"

#### AMENDMENT NO. 4

On page On page 1, between lines 6 and 7, insert the following:

"§228.1. Health insurance plans subject to rate limitations

\* \* \*

B. Definitions. Notwithstanding any law to the contrary, the following terms shall be defined as follows:

\* \* \*

(12) "Medical savings account policy" means a high deductible health plan which is qualified to be used in conjunction with a medical savings account as provided in 26 U.S.C.A. 220 et seq.

C. Group and individual medical savings account policies are excluded from the provisions of R.S. 22:228.1 through 228.6.

\* \* \*

On motion of Senator Hollis, the amendments were adopted.

## Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed House Bill No. 1149 by Representative Bowler

#### AMENDMENT NO. 1

Delete Senate Floor Amendments proposed by Senator Boissiere and adopted by the Senate on June 10, 2003

On motion of Senator Boissiere, the amendments were adopted.

June 10, 2003

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Heitmeier	Marionneaux
Barham	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Fontenot	Lentini	
Gautreaux	Malone	
Total—34		

**NAYS**

Total—0

**ABSENT**

Mr. President	Bean	Thomas
Bajoie	Cravins	
Total—5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1181—**

BY REPRESENTATIVE PINAC

**AN ACT**

To amend and reenact R.S. 51:911.22(6) through (11), 911.26(F)(4) and (I), 911.28(A)(1), (2), (3), (4), (8), (9), and (10), 911.39, and 912.27(A) and (C), to enact R.S. 51:911.22(12), 911.24(J), (K), and (L), 911.26(B)(4) and (F)(8) and (9), and 912.31, and to repeal R.S. 51:911.28(C), relative to manufactured housing; to provide for definitions; to provide for the licensing of manufactured home brokers; to provide for an increase in certain fees; to provide for certain educational and insurance requirements; to provide for recusal of members of the Louisiana Manufactured Housing Commission; to provide for certain additional powers of the commission; to provide relative to penalties for violation of law and rules; and to provide for related matters.

The bill was read by title. Senator Fontenot moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Heitmeier	Marionneaux
Bajoie	Hines	McPherson
Barham	Holden	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Schedler
Dardenne	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo

Fontenot  
Gautreaux  
Total—34

Lentini  
Malone

**NAYS**

Dean  
Total—1

**ABSENT**

Mr. President  
Bean  
Total—4

Cravins  
Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1197—**

BY REPRESENTATIVE L. JACKSON

**AN ACT**

To amend and reenact R.S. 25:379.1(C)(2)(a), relative to the Louisiana State Exhibit Museum; to change the membership of the governing board of the museum; and to provide for related matters.

The bill was read by title. Senator Malone moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Heitmeier	Marionneaux
Bajoie	Hines	McPherson
Barham	Holden	Michot
Boissiere	Hollis	Mount
Chaisson	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Fontenot	Lentini	
Gautreaux	Malone	
Total—34		

**NAYS**

Total—0

**ABSENT**

Mr. President  
Bean  
Total—5

Cain  
Cravins  
Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1198—**

BY REPRESENTATIVE L. JACKSON

**AN ACT**

To amend and reenact R.S. 25:380.1(C)(2)(a) and (c), relative to the Louisiana State Cotton Museum; to change the membership of the governing board of the museum; to change the terms of certain members; and to provide for related matters.

The bill was read by title. Senator Malone moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Ullo
Fields	Lentini	
Fontenot	Malone	
Total—34		

**NAYS**

Total—0

**ABSENT**

Mr. President	Bean	Thomas
Adley	Jones, B	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1208—**

BY REPRESENTATIVES DEWITT AND LANCASTER AND SENATOR HEITMEIER

**AN ACT**

To enact R.S. 25:1013(A)(8) and 1014(C), relative to the governor's mansion; to increase the number of members on the Louisiana Governor's Mansion Commission; to provide for certain access to the mansion for certain purposes; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lambert	
Fontenot	Malone	
Total—34		

**NAYS**

Total—0

**ABSENT**

Mr. President	Cravins	Thomas
Bean	Lentini	

Total—5

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1211—**

BY REPRESENTATIVES BRUNEAU, DOWNER, AND MURRAY  
AN ACT

To amend and reenact R.S. 18:31(C), 103(A), 104(A)(15) and (16), 110(B)(1), 111(B), 154(C), 401.1(C) and (D)(1), 423(H), 425(A)(1)(b) and (2), 435(A)(1), 463(A)(2), 552(B), 553(B)(4), 563, 564(C), 574(A)(2), 576(B) and (C), 1259(B)(1) and (4), 1284(F)(1), 1286(A), 1299.1(A), 1300.2(C)(2), 1300.3(B), 1306(A)(3), 1307(C), and 1354(C), to enact R.S. 18:18.1, 110(B)(3), 401.1(G), 401.2, 552(C), and 1309(E)(4) and (5), and to repeal R.S. 18:425(A)(3) and R.S. 36:742.1, relative to the Election Code; to make technical changes to the Election Code; to prohibit the commissioner of elections and certain unclassified civil service employees from engaging in political activities; to provide relative to the name a woman may use to register to vote; to provide relative to charges for preparation of lists of voter registration information; to provide relative to form and signature requirements on applications to register to vote; to provide for procedures in circumstances of election emergency; to provide for transmission of certain voter registration data where necessary for verification purposes; to provide relative to a designee attending a board of election supervisors meeting; to provide for filing a list of watchers to be present at the precinct; to provide relative to the certification of a candidate in the notice of candidacy; to provide for the secretary of state to issue information as necessary under the Help America Vote Act; to provide for the definition of casting a vote; to provide for procedures for assisted voting; to provide relative to the transmission of election results to the secretary of state by the clerks of court; to provide relative to the format of ballots and statements of propositions and the manner of marking on a ballot; to provide relative to recall petitions and written requests to delete or add from such petitions; to provide relative to mail applications to vote absentee by mail; to provide for procedures for when a voter fails to activate the cast ballot mechanism; to prohibit a parish custodian from appointing a candidate or his family member from serving at certain polling places; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Dardenne sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1211 by Representative Bruneau

**AMENDMENT NO. 1**

On page 1, line 2, after "reenact" and before "103(A)," delete "R.S. 18:31(C) and insert "R.S. 18:31(B)(as enacted by Acts 2001, No. 451) and (C)"

**AMENDMENT NO. 2**

On page 23, between lines 17 and 18 insert the following:

"Section 3. R.S. 18(31)(B)(as enacted by Acts 2001, No. 451) is hereby amended and reenacted as follows:

§31. State voter registration computer system; parish computer system

\* \* \*

B. The secretary of state shall adopt rules and regulations with respect to all records, data, and information required for registration of voters and the transfer of copies thereof to the department. The secretary of state shall establish, by rule, a uniform cost for the preparation of lists of registered voters. However, no charges for

preparation or transmission of voter registration data shall apply to the office of motor vehicles of the Department of Public Safety and Corrections, when the transmitted date is used to verify voter registration information against driver's license and social security information. All rules and regulations shall be adopted pursuant to the Administrative Procedure Act.

\* \* \*

#### AMENDMENT NO. 3

On page 23, line 18, after "Section" change "3." to "4."

#### AMENDMENT NO. 4

On page 23, line 20, after "Section" change "4." to "5."

#### AMENDMENT NO. 5

On page 23, line 20, after "Sections 1 and" and before "of this Act" delete "3" and insert "4"

#### AMENDMENT NO. 6

On page 24, line 2, after "such approval." insert the following:

"Section 3 of this Act shall become effective upon the expiration of the term of office of the commissioner of elections in office on the effective date of this Section, hereinafter referred to as the incumbent, or whenever a vacancy occurs in the office, whichever occurs first. Should a vacancy occur prior to the expiration of the term of office of the incumbent, the secretary of state shall perform the duties and responsibilities of such office until an appointment is made to fill the office in the manner provided in Acts 2001, No. 451, §1, eff. Jan. 12, 2004."

On motion of Senator Dardenne, the amendments were adopted.

### Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Reengrossed House Bill No. 1211 by Representative Bruneau

#### AMENDMENT NO. 1

On page 1, line 6, after "1307(C)," insert "1317,"

#### AMENDMENT NO. 2

On page 2, line 6, after "voting;" insert "to allow students age 17 who are seniors in high school to serve as commissioners on election day; to provide that the vote of an individual who votes absentee and subsequently dies prior to the opening of the polls on the day of the election shall be valid;"

#### AMENDMENT NO. 3

On page 2, line 20, after "1300.3(B)," insert "1317,"

#### AMENDMENT NO. 4

On page 23, between lines 17 and 18, insert the following:

"§1317 Death of voter prior to opening polls

When the members of the board determine by proof satisfactory to them that a voter who has voted by absentee ballot has died dies prior to the opening of the polls on the day of the election, they shall return the ballot of the voter in the same manner as is provided in R.S. 18:1315 for the challenge of ballots. However, the casting of an such absentee ballot by a voter who thereafter dies or shall be included in the tabulation of such a ballot and shall not invalidate the election."

On motion of Senator Fontenot, the amendments were adopted.

### Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 1211 by Representative Bruneau

#### AMENDMENT NO. 1

On page 1, line 3, after "423(H)," insert "424(E)," and after "and (2)" insert "and (E)"

#### AMENDMENT NO. 2

On page 2, line 1, after "meeting;" insert "to provide for two shifts for election commissioners; to provide for additional compensation of commissioners;"

#### AMENDMENT NO. 3

On page 2, line 18, after "423(H)," insert "424(E)," and after "and (2)" insert "and (E)"

#### AMENDMENT NO. 4

On page 8, between lines 21 and 22 insert the following:

"§424. Commissioners-in-charge

\* \* \*

E. Compensation. A commissioner-in-charge shall receive ~~one~~ two hundred fifty dollars for each election in which he serves.

\* \* \*

#### AMENDMENT NO. 5

On page 9, between lines 19 and 20 insert the following:

"E. Compensation. A commissioner who serves at the polling place on election day and who has received a certificate of instruction as provided in R.S. 18:431(A) shall receive fifty dollars. A commissioner who serves at the polling place on election day and who has received a certificate of instruction as provided in R.S. 18:431(B) shall receive one hundred dollars. An uncertified commissioner who serves at the polling place on election day shall receive thirty-five dollars."

E. Shifts. There shall be two eight-hour shifts for commissioners who serve at the polling place on election day."

Senator McPherson moved adoption of the amendments.

Senator Dean objected.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Bajoie	Holden	Marionneau
Cain	Hollis	McPherson
Chaisson	Johnson	Romero
Dupre	Jones, B	Tarver
Fields	Jones, CD	Ullo
Fontenot	Lambert	
Hines	Malone	
Total—19		

#### NAYS

Barham	Heitmeier	Mount
Boissiere	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Lentini	Theunissen
Ellington	Michot	
Total—14		

#### ABSENT

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Mr. President  
Adley  
Total—6

Bean  
Cravins

Gautreaux  
Thomas

The Chair declared the amendments were adopted.

### Personal Privilege

Senator Irons asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on the amendment by Senator McPherson to House Bill No. 1211. She voted nay on the amendment and had intended to vote yea. She asked that the Official Journal so state.

### Personal Privilege

Senator Boissiere asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the amendment by Senator McPherson to House Bill No. 1211. She voted nay on the amendment and had intended to vote yea. He asked that the Official Journal so state.

### Personal Privilege

Senator Mount asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on the amendment by Senator McPherson to House Bill No. 1211. She voted nay on the amendment and had intended to vote yea. She asked that the Official Journal so state.

The bill was read by title. Senator Irons moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Ullo
Fields	Lentini	
Fontenot	Malone	
Total—34		

#### NAYS

Dean  
Total—1

#### ABSENT

Mr. President	Jones, B
Bean	Thomas
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Irons moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Senator Ellington in the Chair

### HOUSE BILL NO. 1234—

BY REPRESENTATIVE PINAC

#### AN ACT

To enact R.S. 6:242(A)(17), R.S. 9:3572.2(B)(9), and R.S. 51:1910(1)(b)(xi), relative to loans; to authorize banks to make refund anticipation loans; to provide relative to loan brokers; to provide for certain exceptions; to provide relative to refund anticipation loans; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Fields	Malone	
Total—34		

#### NAYS

Total—0

#### ABSENT

Mr. President	Jones, B	Thomas
Bean	Lambert	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 1283—

BY REPRESENTATIVE LANCASTER

#### AN ACT

To enact R.S. 18:425(B)(4); to allow students age seventeen who are seniors in high school to serve as commissioners on election day; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo

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Fields                      Lentini  
Total—35                      NAYS

Total—0                      ABSENT

Mr. President              Lambert  
Bean                      Thomas  
Total—4

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1321—**

BY REPRESENTATIVE K. CARTER  
AN ACT

To enact Part LVI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.171 and 1300.172, relative to environmental health surveillance; to provide for purpose of environmental health surveillance; to provide for objective; to provide for creation of a working group; and to provide for related matters.

The bill was read by title. Senator Bajoie moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	

Total—34

**NAYS**

Total—0

**ABSENT**

Mr. President              Hines                      Thomas  
Bean                      McPherson

Total—5

The Chair declared the bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1358—**

BY REPRESENTATIVES BRUNEAU AND LANCASTER (BY FEDERAL MANDATE)

**AN ACT**

To amend and reenact R.S. 18:24 and 574(A)(2) and to enact Subparts F and G of Part V of Chapter 5 of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:566 through 567.6, relative to provisional voting and Title III complaint procedures as mandated by the Help America Vote Act of 2002; to provide for the powers and duties of the state board of election supervisors to extend to Title III complaint

procedures; to provide for the compilation and promulgation of election results to include any counted provisional votes; to provide for provisional voting on election day and in person absentee; to provide for provisional voting in the event that the poll hours of an election for federal office are extended; to provide for the registrar of voters to record who uses a provisional ballot; to provide for agencies to provide and compile information as necessary to determine whether a provisional ballot shall be counted; to provide for the tabulation of provisional votes; to provide for the voter to determine whether his provisional vote was counted; to provide for a complaint procedure for alleged violations of Title III of the Help American Vote Act; to provide for a procedure for filing a complaint; to provide for procedures for processing the complaint; to provide for the board to conduct a hearing and provide a final decision and the reasons therefor; to provide for remedies; to provide for the Division of Administrative Law to assign the complaint to an administrative law judge if the complaint is not heard or decided timely by the board of election supervisors; to provide for the computation of time intervals; to provide for the complaint procedure to be exempt from the administrative hearing process of Chapter 13-B of Title 49; to provide for judicial review of a final decision of the board or resolution of the administrative law judge; and to provide for related matters.

The bill was read by title. Senator Irons moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lentini	

Total—35

**NAYS**

Total—0

**ABSENT**

Mr. President              Lambert  
Bean                      Thomas

Total—4

The Chair declared the bill was passed. The title was read and adopted. Senator Irons moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1432—**

BY REPRESENTATIVES DANIEL AND MURRAY  
AN ACT

To enact R.S. 36:209(T) and 802.18 and Chapter 15 of Title 41 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 41:1751 through 1753, relative to the Louisiana Purchase Commemorative Act; to establish the Louisiana Purchase Commemorative Act Commission as an agency of the state within the Department of Culture, Recreation and Tourism; to provide relative to the authority and responsibilities of the

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commission; to establish three funds to receive monies available to purchase land for public parks and green spaces; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 1437—**

BY REPRESENTATIVE HEBERT

**AN ACT**

To enact R.S. 22:250.39, relative to health insurance; to provide with respect to underpayment of health insurance claims; to provide relative to retroactive contractual rate adjustments negotiated between a health insurance issuer and a health care provider; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Boissiere sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Boissiere to Engrossed House Bill No. 1437 by Representative Hebert

**AMENDMENT NO. 1**

On page 1, line 2, after "enact" delete "R.S. 22:250.39," and insert "R.S. 22:228.1(B)(12) and (C) and 250.39,"

**AMENDMENT NO. 2**

On page 1, line 5, after "provider;" insert the following: "to provide with respect to small group and individual health insurance rating; to provide for medical savings account policies;"

**AMENDMENT NO. 3**

On page 1, line 8, after "1." delete "R.S. 22:250.39 is" and insert "R.S. 22:228.1(B)(12) and (C) and 250.39 are"

**AMENDMENT NO. 4**

On page 1, between lines 8 and 9, insert the following:  
 "§228.1. Health insurance plans subject to rate limitations  
 \* \* \*

B. Definitions. Notwithstanding any law to the contrary, the following terms shall be defined as follows:  
 \* \* \*

(12) "Medical savings account policy" means a high deductible health plan which is qualified to be used in conjunction with a medical savings account as provided in 26 U.S.C.A. 220 et seq.

C. Group and individual medical saving account policies are excluded from the provisions of R.S. 22:228.1 through 228.6.  
 \* \* \*

On motion of Senator Boissiere, the amendments were adopted.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith

Dean  
 Dupre  
 Ellington  
 Total—33

Johnson  
 Jones, B  
 Jones, CD

Tarver  
 Theunissen  
 Ullo

NAYS

Marionneaux  
 Total—1

ABSENT

Mr. President  
 Bean  
 Total—5

Hines  
 Lambert

Thomas

The Chair declared the amended bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1438—**

BY REPRESENTATIVE HEBERT

**AN ACT**

To amend and reenact R.S. 22:245(A) and 246(1), (2), and (9), relative to a pilot health insurance program; to provide for small employers; to provide for eligibility; to provide for health insurance issuers; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley  
 Bajoie  
 Barham  
 Boissiere  
 Cain  
 Chaisson  
 Cravins  
 Dardenne  
 Dupre  
 Ellington  
 Fields  
 Total—35

Fontenot  
 Gautreaux  
 Heitmeier  
 Hines  
 Holden  
 Hollis  
 Hoyt  
 Irons  
 Johnson  
 Jones, B  
 Jones, CD  
 Lentini

Malone  
 Marionneaux  
 McPherson  
 Michot  
 Mount  
 Romero  
 Schedler  
 Smith  
 Tarver  
 Theunissen  
 Ullo

NAYS

Total—0

ABSENT

Mr. President  
 Bean  
 Total—4

Lambert  
 Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1508—**

BY REPRESENTATIVE HEBERT

**AN ACT**

To amend and reenact R.S. 22:1401(E) and (F), 1404(5), 1405(C), 1406(A), (B), and (D)(1)(a)(ii) and (c)(i)(introductory paragraph), 1407(A)(1) and (2)(introductory paragraph), (B), (C), (D), (E), (G), (H), and (K), 1408, 1409(A), (B), (D), and (G)(2), 1410, 1411, 1413(B), (C), and (D), 1414(B), 1415, 1416, 1418, 1419(A)(1) and (B), and 1422 and to repeal R.S. 22:1401(G) and (H), 1406(C) and (D)(7), 1407(J) and (L),

1417.1, and 1420, relative to the functions, duties, and activities of the Louisiana Insurance Rating Commission; to provide for the office of property and casualty; to provide for procedures; to provide for expenses; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Ullo
Ellington	Jones, CD	
Fields	Lentini	
Total—34		

#### NAYS

Total—0

#### ABSENT

Mr. President	Lambert	Thomas
Bean	Marionneaux	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 1534—

BY REPRESENTATIVES WINSTON AND WELCH  
AN ACT

To amend and reenact R.S. 36:4(F) and R.S. 46:2521, 2522, and 2524, to enact R.S. 46:2525 and R.S. 49:210.1, and to repeal R.S. 46:2523, relative to the Louisiana Women's Policy and Research Commission; to provide for the creation of the commission; to provide for a special assistant to the governor on women's policy; and to provide for related matters.

### Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Reengrossed House Bill No. 1534 by Representative Winston

#### AMENDMENT NO. 1

On page 5, line 9, change "nine" to "eleven" and change "(15)" to "(13)"

On motion of Senator Bajoie, the amendments were adopted.

The bill was read by title. Senator Bajoie moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lentini	
Total—35		

#### NAYS

Total—0

#### ABSENT

Mr. President	Lambert
Bean	Thomas
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 1605—

BY REPRESENTATIVES ILES, DOERGE, HILL, PITRE, JOHN SMITH, AND  
SENATOR ADLEY

#### AN ACT

To enact R.S. 40:1300.143(3)(a)(viii), (ix), and (x), relative to the Rural Hospital Preservation Act; to add certain hospitals to the definition of a rural hospital; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Adley moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Mr. President	Bean	Thomas
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 1629—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1625(C)(2)(b) and (9)(introductory paragraph) and 1628(A)(3)(b) and (B)(3), relative to fire protection engineers and mechanical engineers; to provide for licensing as fire protection sprinkler systems contractors; to eliminate errors and omissions insurance requirement; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lentini	
Total—35		

#### NAYS

Total—0

#### ABSENT

Mr. President	Lambert
Bean	Thomas
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 1630—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1563(B)(introductory paragraph) and (4) and (C), relative to the state fire marshal; to provide for additional requirements for the creation and operation of fire prevention bureaus; to provide for jurisdictional rules for inspections; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Cain	Holden	Michot

Chaisson  
Dardenne  
Dean  
Dupre  
Ellington  
Fields  
Fontenot  
Total—31

Hollis  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, CD  
Lentini

Romero  
Schedler  
Smith  
Tarver  
Ullo

#### NAYS

Total—0

#### ABSENT

Mr. President  
Bean  
Boissiere  
Total—8

Cravins  
Lambert  
Mount

Theunissen  
Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 1765—

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact R.S. 22:250.38(B), relative to recoupment of payments; to provide for appeal of health insurer's action; to allow a health care provider thirty days to provide certain information to the insurer; and to provide for related matters.

The bill was read by title. Senator Cravins moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lentini	
Total—35		

#### NAYS

Total—0

#### ABSENT

Mr. President  
Bean  
Total—4

Lambert  
Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Cravins moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 1768—

BY REPRESENTATIVE MURRAY

AN ACT

To enact R.S. 49:150.2, relative to the state capitol complex; to permit use of certain unlicensed state vehicles within the state capitol complex; to provide for conditions for use of such

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vehicles; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Ullo
Ellington	Jones, CD	
Fields	Lentini	
Total—34		

**NAYS**

Total—0

**ABSENT**

Mr. President	Lambert	Thomas
Bean	Michot	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1770—**

BY REPRESENTATIVE JACK SMITH  
AN ACT

To amend and reenact R.S. 23:921(B) and to enact R.S. 23:921(H), relative to employment contracts; to provide that interested parties may agree to refrain from engaging in similar businesses under certain circumstances; to provide that employees may not engage in similar businesses under certain circumstances; and to provide for related matters.

The bill was read by title. Senator Hoyt moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fields	Jones, CD
Bajoie	Fontenot	Lentini
Barham	Gautreaux	Malone
Boissiere	Heitmeier	McPherson
Cain	Hines	Michot
Chaisson	Holden	Romero
Cravins	Hollis	Schedler
Dardenne	Hoyt	Smith
Dean	Irons	Tarver
Dupre	Johnson	Theunissen
Ellington	Jones, B	Ullo
Total—33		

**NAYS**

Marionneaux  
Total—1

**ABSENT**

Mr. President	Lambert	Thomas
Bean	Mount	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Hoyt moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1826 (Substitute for House Bill No. 1081 by Representative Durand) —**

BY REPRESENTATIVE DURAND

**AN ACT**

To enact R.S. 37:934, relative to registered nurses; to provide for utilization review under the Louisiana Medical Assistance Program; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lentini	
Total—35		

**NAYS**

Total—0

**ABSENT**

Mr. President	Lambert
Bean	Thomas
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1836—**

BY REPRESENTATIVES BAYLOR, ALEXANDER, CROWE, CURTIS, HONEY, HUDSON, KENNEY, NEVERS, PEYCHAUD, POWELL, JANE SMITH, SWILLING, DEWITT, ALARIO, ARNOLD, BALDONE, BAUDON, BOWLER, BROOME, K. CARTER, R. CARTER, CAZAYOUX, CRANE, DAMICO, DANIEL, DEVILLIER, DIEZ, DOERGE, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRUGE, FUTRELL, GALLOT, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOPKINS, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCDONALD, MONTGOMERY, MORRELL, MURRAY, ODINET, PERKINS, PIERRE, PINAC, PITRE, QUEZAIRE, RICHMOND, ROMERO, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, SNEED, STRAIN, THOMPSON, TOWNSEND, WALKER, WELCH, WOOTON, AND WRIGHT

**AN ACT**

To enact R.S. 17:1603, relative to state buildings; to provide that the band hall located on Elton C. Harrison Drive at Southern University at Baton Rouge be renamed the Isaac Greggs Band Hall; to provide that the building in Shreveport known as the

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Multicultural Center of the South be renamed the Mrs. Balistine Williams Tarver Hopkins Building; and to provide for related matters.

The bill was read by title. Senator Holden moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lentini	
Total—35		

**NAYS**

Total—0

**ABSENT**

Mr. President	Lambert
Bean	Thomas
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Holden moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1904—**

BY REPRESENTATIVE DURAND

**AN ACT**

To amend and reenact R.S. 40:2017.11, relative to fees for review of plans by the Department of Health and Hospitals; to increase fees for the review of construction plans for hospitals, ambulatory surgical centers, nursing homes, and group or community homes or other residential living options by the Department of Health and Hospitals; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Boissiere	Holden	Michot
Chaisson	Hollis	Mount
Dardenne	Hoyt	Romero
Dean	Irons	Schedler
Dupre	Johnson	Smith
Ellington	Jones, B	Tarver
Fields	Jones, CD	Theunissen
Fontenot	Lentini	Ullo
Total—33		

**NAYS**

Cain  
Total—1

**ABSENT**

Mr. President	Cravins	Thomas
Bean	Lambert	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 24—**

BY REPRESENTATIVE CAZAYOUX

**AN ACT**

To amend and reenact R.S. 41:1212(B)(1), relative to lease of school board land; to exempt the West Baton Rouge Parish School Board from advertisement and bid requirements when leasing sixteenth section school board land for agricultural purposes; and to provide for related matters.

The bill was read by title. Senator Marionneaux moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Mr. President	Bean	Thomas
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Marionneaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 29—**

BY REPRESENTATIVE SALTER

**AN ACT**

To repeal R.S. 38:2241.2, relative to construction contract reporting requirements; to repeal reporting requirements for certain Department of Transportation and Development contracts.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Mr. President	Bean	Thomas
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 165—**

BY REPRESENTATIVE POWELL

**AN ACT**

To amend and reenact R.S. 56:332(K), relative to crab traps; to change the months within which the required escape rings must be open to allow crabs to escape; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Dupre sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senators Gautreaux and Dupre to Engrossed House Bill No. 165 by Representative Powell

**AMENDMENT NO. 1**

Delete committee amendments proposed by the Senate Committee on Natural Resources and adopted by the Senate on June 1, 2003.

Senator Gautreaux asked for a ruling from the Chair as to whether the amendment was germane to the bill.

The Chair ruled that the amendment was not germane to the bill.

The amendment was withdrawn.

The bill was read by title. Senator Dupre moved final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fields	Lentini
Bajoie	Fontenot	Marionneaux

Barham	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Chaisson	Holden	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Ullo
Total—33		

**NAYS**

Total—0

**ABSENT**

Mr. President	Hollis	Malone
Bean	Jones, B	Thomas
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 170—**

BY REPRESENTATIVE POWELL

**AN ACT**

To enact R.S. 56:332(M), relative to taking of crabs; to allow a certain amount of finfish by-catch caught in crab traps to be kept for personal consumption; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fields	Lambert
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Chaisson	Holden	Romero
Cravins	Hollis	Schedler
Dardenne	Hoyt	Smith
Dean	Irons	Tarver
Dupre	Johnson	Theunissen
Ellington	Jones, CD	Ullo
Total—33		

**NAYS**

Total—0

**ABSENT**

Mr. President	Jones, B	McPherson
Bean	Lentini	Thomas
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 207—**

BY REPRESENTATIVE GALLOT

**AN ACT**

To enact R.S. 33:9103(A)(5), relative to the Lincoln Parish Communications District; to increase the membership of the board of commissioners; to provide relative to the terms of office of the board members; and to provide for related matters.

The bill was read by title. Senator B. Jones moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lambert	
Total—35		

#### NAYS

Total—0

#### ABSENT

Mr. President	Lentini
Bean	Thomas
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator B. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 230—

BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 33:1704.1(D), to enact R.S. 13:1883(I), and to repeal R.S. 13:1883(A)(11), relative to the salary of the marshal for the City Court of Natchitoches; to set the salary for the office of marshal; to provide for source of payment of the salary; to provide for receipt and deposit of fees for service of process in civil matters; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hoyt	Romero
Cravins	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, CD	Tarver
Ellington	Lambert	Theunissen
Fields	Lentini	Ullo
Total—33		

#### NAYS

Total—0

#### ABSENT

Mr. President
Bean
Total—6

Dardenne
Hollis

Jones, B
Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 259—

BY REPRESENTATIVE WINSTON  
AN ACT

To amend and reenact R.S. 17:3021 and R.S. 36:642(D)(2), to enact R.S. 17:3048.2(F) and (G), and to repeal R.S. 17:3023(B), 3023.8.1, 3026, 3027, 3028, 3030, 3036, 3036.1, Chapter 20-A of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3041 through 3041.7, Chapter 20-B-1 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3042.11 through 3042.14, Chapter 20-B-3 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3042.31 through 3042.36, and Chapter 20-C of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3043 through 3043.2, all relative to the administrative powers and duties of the Louisiana Student Financial Assistance Commission; to repeal certain student financial assistance programs that the commission is authorized to administer; to provide for the continuance of certain tuition payments awarded pursuant to two such programs; to delete provisions relative to the review and approval by the commission of certain applications; and to provide for related matters.

The bill was read by title. Senator Theunissen moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Mr. President	Bean	Thomas
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 292—

BY REPRESENTATIVE DIEZ  
AN ACT

To amend and reenact R.S. 32:414.2(A)(1)(a), relative to commercial motor vehicle drivers; to require the disqualification of driving privileges for certain drivers; and to provide for related matters.

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The bill was read by title. Senator Heitmeier moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—34		

**NAYS**

Total—0

**ABSENT**

Mr. President	Jones, B	Thomas
Bean	McPherson	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 293—**

BY REPRESENTATIVE DIEZ

**AN ACT**

To amend and reenact R.S. 32:409.1(A)(1)(e) and (6)(a), relative to drivers' licenses; to provide relative to applications for drivers' licenses; to require certain information to be submitted by applicants for a commercial driver's license; to require the department to check certain driving record information relative to commercial driver's license applicants; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—34		

**NAYS**

Total—0

**ABSENT**

Mr. President	Jones, B	Thomas
Bean	McPherson	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 318—**

BY REPRESENTATIVE DIEZ

**AN ACT**

To amend and reenact R.S. 32:409.1(A)(8), relative to drivers' licenses; to prohibit the department from issuing certain commercial drivers' licenses and permits under certain circumstances; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Boissiere	Heitmeier	McPherson
Cain	Hines	Michot
Chaisson	Holden	Mount
Cravins	Hollis	Romero
Dardenne	Hoyt	Schedler
Dean	Irons	Smith
Dupre	Johnson	Tarver
Ellington	Lambert	Theunissen
Fields	Lentini	Ullo
Total—33		

**NAYS**

Total—0

**ABSENT**

Mr. President	Bean	Jones, CD
Adley	Jones, B	Thomas
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 319—**

BY REPRESENTATIVE DIEZ

**AN ACT**

To amend and reenact R.S. 32:408(B)(3)(introductory paragraph) and (f) and to enact R.S. 32:408(B)(3)(g), relative to drivers' licenses; to create a school bus endorsement for commercial drivers' licenses; to require the department to issue endorsements under certain circumstances; to provide for exceptions; to authorize the department to implement a federal waiver program; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Ullo
Fields	Lentini	
Total—35		

**NAYS**

Total—0

**ABSENT**

Mr. President	Jones, B
Bean	Thomas
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 343—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To enact R.S. 33:2721.13, relative to Tensas Parish; to authorize the governing authority of Tensas Parish to levy and collect an additional sales and use tax with voter approval; and to provide for related matters.

The bill was read by title. Senator C. Jones moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Mr. President	Bean	Thomas
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator C. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 344—**

BY REPRESENTATIVE HOPKINS  
AN ACT

To amend and reenact R.S. 46:1053(N)(1)(b) and (2)(a) and to repeal R.S. 46:1053(N)(3), relative to the North Caddo Hospital Service District; to provide relative to the board of commissioners of the district; to provide relative to the terms of office of such members; and to provide for related matters.

The bill was read by title. Senator Malone moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Mr. President	Bean	Thomas
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 347—**

BY REPRESENTATIVES GARY SMITH AND POWELL  
AN ACT

To enact R.S. 17:3048.1(H)(3), to permit certain students under specified circumstances to receive TOPS Opportunity, Performance, and Honors award benefits for postgraduate study; to provide for limitations; to provide relative to the powers and duties of the Louisiana Student Financial Assistance Commission; to provide for implementation; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	McPherson

Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Ullo

Total—36

NAYS

Total—0

ABSENT

Mr. President	Bean	Thomas
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Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Mr. President in the Chair

#### HOUSE BILL NO. 369—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:414.2(A)(1)(d)(v) and to enact R.S. 32:414.2(A)(1)(d)(vi) through (ix), relative to commercial motor vehicle drivers; to provide relative to "serious traffic violations" for commercial motor vehicle drivers; to add certain offenses to the list of "serious traffic violations"; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Cravins	Irons	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Tarver
Dupre	Jones, CD	Theunissen
Fields	Lambert	Ullo

Total—36

NAYS

Total—0

ABSENT

Bean	Ellington	Thomas
------	-----------	--------

Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

#### HOUSE BILL NO. 381—

BY REPRESENTATIVE HOPKINS

AN ACT

To authorize and provide for the state, through the division of administration, to transfer a certain tract in Caddo Parish to the adjacent landowner; and to provide for related matters.

### Floor Amendments Sent Up

Senator Malone sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Engrossed House Bill No. 381 by Representative Hopkins

#### AMENDMENT NO. 1

Delete Amendment No. 2 proposed by the Senate Committee on Natural Resources and adopted by the Senate on June 2, 2003

#### AMENDMENT NO. 2

In Amendment No. 4 proposed by the Senate Committee on Natural Resources and adopted by the Senate on June 2, 2003, on page 1, line 10, after "administration" insert "and the secretary of the Department of Health and Hospitals"

#### AMENDMENT NO. 3

In Amendment No. 10 proposed by the Senate Committee on Natural Resources and adopted by the Senate on June 2, 2003, on page 2, line 5, after "administration" insert "and the secretary of the Department of Health and Hospitals" and on line 6, change "is hereby" to "are hereby"

#### AMENDMENT NO. 4

In Amendment No. 10 proposed by the Senate Committee on Natural Resources and adopted by the Senate on June 2, 2003, on page 2, line 16, after "administration" insert "and the secretary of the Department of Health and Hospitals" and on line 17, change "is hereby" to "are hereby"

#### AMENDMENT NO. 5

On page 1, line 2, after "administration" delete the "," and insert "and the Department of Health and Hospitals;"

#### AMENDMENT NO. 6

On page 1, line 6, after "administration" insert "and the secretary of the Department of Health and Hospitals"

#### AMENDMENT NO. 7

On page 1, line 7, after "contrary," change "is" to "are"

#### AMENDMENT NO. 8

On page 2, line 12, after "administration" insert "and the secretary of the Department of Health and Hospitals"

#### AMENDMENT NO. 9

On page 2, line 13, after "Louisiana," change "is" to "are"

#### AMENDMENT NO. 10

On page 2, line 18, after "administration" insert "and the secretary of the Department of Health and Hospitals"

On motion of Senator Malone, the amendments were adopted.

The bill was read by title. Senator Malone moved final passage of the amended bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Fields	Lambert
Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Total—36		

### NAYS

Total—0

### ABSENT

Bean	McPherson	Thomas
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## HOUSE BILL NO. 389—

BY REPRESENTATIVE DIEZ

### AN ACT

To enact R.S. 32:414.2(A)(7), relative to commercial motor vehicle drivers; to require the department to notify certain licensing entities of driving disqualifications; to provide relative to the requirements of such notice; to require certain information to be included in official operating records; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Fields	Lambert
Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Total—36		

### NAYS

Total—0

### ABSENT

Bean	McPherson	Thomas
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## HOUSE BILL NO. 390—

BY REPRESENTATIVE DIEZ

### AN ACT

To amend and reenact R.S. 32:414.2(A)(1)(b)(i), relative to commercial motor vehicle drivers; to provide relative to disqualification of commercial driving privileges; to require a disqualification of commercial driving privileges to become part of an individual's operating record; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Adley	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lambert	
Fontenot	Lentini	
Total—34		

### NAYS

Total—0

### ABSENT

Mr. President	Bean	Thomas
Bajoie	McPherson	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## HOUSE BILL NO. 432—

BY REPRESENTATIVES POWELL AND CAZAYOUX AND SENATOR DUPRE

### AN ACT

To amend and reenact R.S. 2:135.1(B)(2)(b), relative to airports and aviation; to provide relative to certain airport leases; to reduce the value of improvements or construction necessary for the extension of the primary lease term for certain leases; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux

Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Ullo
Ellington	Jones, CD	
Total—35		

NAYS

Total—0

ABSENT

Bean	McPherson
Lambert	Thomas
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 451—**

BY REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 32:863(D), relative to motor vehicle liability security; to provide relative to the sanctions for failure to maintain motor vehicle liability security; to provide relative to reinstatement requirements of motor vehicle registrations; to prohibit the renewal of a driver's license, issuance of a duplicate license, renewal of a motor vehicle registration, or reissuance of a motor vehicle registration under certain circumstances; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Ullo
Ellington	Jones, CD	
Total—35		

NAYS

Total—0

ABSENT

Bean	McPherson
Lambert	Thomas
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 493—**

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 32:414.2(A)(7), relative to commercial motor vehicle drivers; to authorize the department to report certain drivers to the Federal Motor Carrier Safety Administration; to provide relative to the definition of imminent hazard; to require certain disqualifications to become part of an individual's official operating record; to provide relative to disqualification periods; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Bean	McPherson
Dardenne	Thomas
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 549—**

BY REPRESENTATIVE FUTRELL

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(b)(i), relative to the Tuition Opportunity Program for Students Opportunity Award; to provide eligibility requirements, including minimum scores on certain tests; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Adley sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Adley to Engrossed House Bill No. 549 by Representative Futrell

**AMENDMENT NO. 1**

On page 1, line 2, after "reenact" delete the remainder of the line and insert in lieu thereof the following: "R.S. 17:3048.1(A)(1)(a)(iii) and (b)(i), and to enact R.S. 17:3048.1(C)(4), relative to the Tuition"

**AMENDMENT NO. 2**

On page 1, line 4, after "tests;" delete the remainder of the line and insert "; to provide relative to residency requirements of the Tuition"

Opportunity Program for Students for participation by certain dependent students; to provide that such students who meet specified guidelines shall be residents for award eligibility purposes; to provide for effectiveness; and"

**AMENDMENT NO. 3**

On page 1, line 7, after "Section 1," delete the remainder of the line and insert "R.S. 17:3048.1(A)(1)(a)(iii) and (b)(i) are hereby amended and reenacted, and R.S. 17:3048.1(C)(4) is hereby enacted"

**AMENDMENT NO. 4**

On page 1, delete line 11, and insert in lieu thereof the following:

"A.(1) As part of the Louisiana Tuition Opportunity Program for Students, the state shall financially assist any student who enrolls on a full-time basis in a public college or university in this state or a regionally accredited independent college or university in the state that is a member of the Louisiana Association of Independent Colleges or Universities, hereafter in this Chapter referred to collectively as "eligible colleges or universities", to pursue an academic undergraduate degree or, as provided by this Subsection, skill or occupational training as defined by the Board of Regents, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree, and who meets the qualifications of Subparagraph (b), (c), or (d) of this Paragraph and all of the applicable following qualifications:

(a)

\* \* \*

(iii) For a student graduating from high school during the 1999-2000 school year or thereafter, is a citizen of the United States and if an independent student, as defined by the administering agency, is a resident of Louisiana or if a dependent student, as defined by the administering agency, has a parent or legal guardian who is a resident of Louisiana during the twenty-four months preceding the date of the student's graduation from high school, or is eligible pursuant to the alternative means of determining residency for dependent students provided by Paragraph (C)(4) of this Section, or is the dependent child of a resident of Louisiana on active duty with the United States armed forces who is stationed outside Louisiana but who claims Louisiana as his home of record and who has filed a Louisiana state income tax return for the most recent two years, or is the dependent child of a nonresident on active duty with the United States armed forces who is stationed in Louisiana under permanent change of station orders and who not later than sixty days after reporting to such station changes his military personnel records to establish Louisiana as his official home of record and complies with Louisiana income tax laws and regulations for the time period while stationed in Louisiana. A student who is not a citizen of the United States but who is eligible to apply for such citizenship shall be deemed to satisfy the citizenship requirement of this Subparagraph if within sixty days after the date the student attains the age of majority, the student applies to become a citizen of the United States and obtains such citizenship within one year after the date of application."

**AMENDMENT NO. 5**

On page 2, after line 20, insert as follows:

"C.

\* \* \*

(4) For the purpose of determining award eligibility of a dependent student, any such student who meets each of the following guidelines shall be considered a resident:

(a) The student graduates during the 2001-2002 school year or thereafter from a Louisiana public high school or from a nonpublic high school that is approved by the State Board of Elementary and Secondary Education and that meets other applicable requirements of this Section.

(b) The student has been continuously enrolled in and has attended such a school from at least the beginning of the student's junior year in high school through the completion of the student's senior year in high school as certified by the high school principal or headmaster or his designee.

(c) The student has a parent or legal guardian who meets both of the following requirements:

(i) Is a resident of a state that adjoins Louisiana and resides in a municipality having geographic boundaries that include a portion of the state of Louisiana; and

(ii) Has filed a Louisiana state income tax return and has complied with state income tax laws and regulations, or is assessed ad valorem taxes on property owned in Louisiana.

\* \* \*

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

Senator Adley moved adoption of the amendments.

Senator B. Jones objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Dupre	Jones, CD
Bajoie	Ellington	Lambert
Barham	Fields	Malone
Chaisson	Fontenot	Mount
Dardenne	Heitmeier	Smith
Dean	Johnson	
Total—17		

**NAYS**

Mr. President	Hollis	Michot
Boissiere	Hoyt	Romero
Cain	Irons	Tarver
Gautreaux	Jones, B	Ullo
Hines	Lentini	
Holden	Marionneaux	
Total—16		

**ABSENT**

Bean	McPherson	Theunissen
Cravins	Schedler	Thomas
Total—6		

The Chair declared the amendments were adopted.

**Personal Privilege**

Senator Bajoie asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on the amendment by Senator Adley to House Bill No. 549. She voted yea on the amendment and had intended to vote nay. She asked that the Official Journal so state.

**Floor Amendments Sent Up**

Senator Theunissen sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Theunissen to Engrossed House Bill No. 549 by Representative Futrell

**AMENDMENT NO. 1**

On page 1, line 2, after "R.S. 17:3048.1" delete the remainder of the line and insert "(A)(1)(a)(iii) and (b)(i), (4)(a)(iii), (B)(3)(a), (C)(2)(f) and (h)(i), (K)(3)(a) and (b), (L), (P)(1)(a), and (Q)(1)(a) and (b) and to repeal R.S. 17:3048.1(M), relative to the Tuition"

#### AMENDMENT NO. 2

On page 1, line 4, after "tests;" delete the remainder of the line and insert "to provide relative to the Tuition Opportunity Program for Students; to provide relative to residency and citizenship requirements; to provide relative to the adoption of certain rules by the administering agency, including guidelines and procedures permitting the administering agency to receive and consider certain test scores of an applicant that are obtained on a testing date during a specified time period in the year of the applicant's graduation from high school; to provide relative to a student who initially qualifies for more than one program award; to refer to court-ordered custodians rather than legal guardians; to provide relative to the reinstatement of award benefits to certain students; to provide relative to the eligibility of students graduating from certain out-of-state high schools; to remove provisions relative to the presentation of certain certificates of achievement and the procedures for doing so; and"

#### AMENDMENT NO. 3

On page 1, line 7, after "R.S. 17:3048.1" delete "(A)(1)(b)(i) is" and insert in lieu thereof "(A)(1)(a)(iii) and (b)(i), (4)(a)(iii), (B)(3)(a), (C)(2)(f) and (h)(i), (K)(3)(a) and (b), (L), (P)(1)(a), and (Q)(1)(a) and (b) are"

#### AMENDMENT NO. 4

On page 1, delete line 11, and insert in lieu thereof the following:

"A.(1) As part of the Louisiana Tuition Opportunity Program for Students, the state shall financially assist any student who enrolls on a full-time basis in a public college or university in this state or a regionally accredited independent college or university in the state that is a member of the Louisiana Association of Independent Colleges or Universities, hereafter in this Chapter referred to collectively as "eligible colleges or universities", to pursue an academic undergraduate degree or, as provided by this Subsection, skill or occupational training, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree, and who meets the qualifications of Subparagraph (b), (c), or (d) of this Paragraph and all of the applicable following qualifications:

(a)

\* \* \*

(iii) For a student graduating from high school during the 1999-2000 school year or thereafter, is a citizen of the United States and if an independent student, as defined by the administering agency, is a resident of Louisiana or if a dependent student, as defined by the administering agency, has a parent or ~~legal guardian~~ court-ordered custodian who is a resident of Louisiana during the twenty-four months preceding the date of the student's graduation from high school, or is the dependent child of a resident of Louisiana on active duty with the United States Armed Forces who is stationed outside Louisiana but who claims Louisiana as his ~~home of record~~ state of legal residence and who has filed a Louisiana state income tax return for the most recent two years, or is the dependent child of a nonresident on active duty with the United States Armed Forces who is stationed in Louisiana under permanent change of station orders and who not later than sixty days after reporting to such station changes his military personnel records to establish Louisiana as his ~~official home of record~~ state of legal residence and complies with Louisiana income tax laws and regulations for the time period while stationed in Louisiana. A student who is not a citizen of the United States but who is eligible to apply for such citizenship shall be deemed to satisfy the citizenship requirement of this Subparagraph if within sixty days after the date the student attains the age of majority, the student applies to become a citizen of the United States and obtains such citizenship within one year after the date of application."

#### AMENDMENT NO. 5

On page 2, after line 20, insert the following:

"(4) To maintain continued state payment of an amount equal to tuition and other amounts pursuant to an award under this Chapter once enrolled in college a student shall meet all of the following:

(a)

\* \* \*

(iii) If at any time a student fails to maintain the cumulative grade point average required for continuation in the program or as of the end of any semester or term during the academic year fails to make steady academic progress as defined by the administering agency, such student shall become ineligible for further payments. Payments limited to those provided in Paragraph (A)(2) of this Section regardless of whether the originally granted award was an Opportunity, Performance, or Honors Award may be reinstated upon attainment of the grade point average required by this Paragraph for a student to maintain continued state payments once enrolled in college and the standards for steady academic progress as defined by the administering agency, provided that the student has maintained other continuation requirements and the period of ineligibility did not persist for more than two years from the date of loss of eligibility. If this two-year period is interrupted due to a student's active duty service in the United States Armed Forces, the two-year period shall be extended for a length of time equal to the student's active duty service, not to exceed four years.

\* \* \*

B.

\* \* \*

(3) To maintain continued state payment of an amount equal to tuition pursuant to a TOPS-Tech Award once enrolled in an institution, a student shall meet all of the following:

(a) Make steady academic progress as defined by the administering agency toward completion of the requirements of the program in which enrolled earning not less than the minimum number of hours of credit required for full-time standing or the required number of hours needed to complete the program's requirements. If at any time a student fails to maintain the cumulative grade point average required for continuation in the program or as of the end of any term during the school year fails to make steady academic progress as defined by the administering agency, the student shall become ineligible for further payments. Payments may be reinstated upon attainment of the grade point average required for continuation of the original award and the standards for steady academic progress as defined by the administering agency, provided that the student has maintained other continuation requirements and the period of ineligibility did not persist for more than one year from the date of loss of eligibility. If this one-year period is interrupted due to a student's active duty service in the United States Armed Forces, the one-year period shall be extended for a length of time equal to the student's active duty service, not to exceed four years.

\* \* \*

C.

\* \* \*

(2) Except as otherwise provided by this Paragraph, the administering agency by rule shall provide for:

\* \* \*

(f) Guidelines and procedures directing that when tuition is paid from a source other than the award made pursuant to this Section, the award shall be applied by the institution attended by the student toward payment of expenses other than tuition which are described in the term "cost of attendance" as that term is defined in 20 U.S.C. 1087(I), as amended, for the purpose of qualifying the student or his parent or ~~guardian~~ court-ordered custodian for the federal income tax credits provided for under 26 U.S.C. 25A.

\* \* \*

(h)(i) Guidelines and procedures permitting the administering agency to receive and consider, beginning with awards made for the 2000-2001 academic year and thereafter, an applicant's qualifying score on the American College Test or on the Scholastic Aptitude Test ~~that which is first~~ obtained on an authorized testing date after the national April ACT testing date in the year of the applicant's high

school graduation but prior to July first of the year of such graduation.

K.

(3)(a)(i) Any student who receives a financial assistance award pursuant to this Section may elect to accept the award on the basis provided in this Paragraph. The student may elect to delay the acceptance of his financial assistance award until after the student, if he is not claimed as a dependent of a parent or guardian court-ordered custodian on a federal income tax return, or his parent or guardian court-ordered custodian, if he is claimed as a dependent on a federal income tax return, files his federal income tax return.

(ii) If the student delays the acceptance of his award and the student, parent, or guardian court-ordered custodian claims a federal income tax credit for money expended on educational tuition for the postsecondary education of the student, the administering agency shall pay directly to the student an amount equal to the amount of the award that would have been paid to the eligible institution on behalf of the student less the amount of the tax credit claimed plus as an incentive for claiming the credit and thus reducing the cost to the state of this program, an amount equal to twenty-five percent of the amount of the credit claimed.

(iii) If the student delays the acceptance of his award and the student, parent, or guardian court-ordered custodian does not claim such a credit, then the amount of the award that would have been paid to the eligible institution on behalf of the student shall be paid directly to the student.

(b) In order to receive the additional incentive payment provided for in Item(a)(ii) of this Paragraph, the student, parent, or guardian court-ordered custodian filing the return shall provide such proof to the administering agency of the amount of federal income tax credit for money expended on educational tuition claimed as required by the agency, including access to their federal income tax records or other appropriate records.

L. Each student who initially qualifies for more than one award under the provisions of this Section shall receive the award requiring the most rigorous eligibility criteria. ~~unless the student chooses to receive the TOPS Tech Award and enrolls in a Louisiana public postsecondary institution pursuant to Paragraph B(2) of this Section. Once the student who has chosen a TOPS Tech Award enrolls in a Louisiana public postsecondary institution pursuant to Paragraph B(2) of this Section, his choice becomes irrevocable.~~

P.(1) Notwithstanding any initial student eligibility requirement of this Chapter to the contrary, a student shall be eligible to receive a TOPS-Tech Award pursuant to this Section provided each of the applicable following conditions are met:

(a) The student has been certified by the principal or headmaster to have graduated during the 1996-1997 or the 1997-1998 school year or thereafter from an out-of-state high school which has been approved by the appropriate state educational agency in the state in which the school is located; from an out-of-state high school which is accredited by the Southern Association of Colleges and Schools' Commission on Secondary and Middle Schools and meets the standards adopted by the State Board of Elementary and Secondary Education for approval of nonpublic schools in Louisiana; or, for students certified to have graduated during the 2002-2003 school year or thereafter, from an out-of-state high school that is accredited by a regional accrediting organization recognized by the United States Department of Education and meets the standards adopted by the State Board of Elementary and Secondary Education for approval of nonpublic schools in Louisiana; or from a high school which has been approved by the United States Department of Defense.

Q.(1) Notwithstanding any initial student eligibility requirement of this Chapter to the contrary, a student shall be eligible to receive a TOPS-Tech Award pursuant to this Section provided each of the following conditions are met:

(a) The student has been certified by a parent or ~~legal guardian~~ court-ordered custodian to have successfully completed at the twelfth grade level a home study program approved by the State Board of Elementary and Secondary Education. Additionally, the student, if ever enrolled in a Louisiana public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education, must have begun his studies in the approved home study program no later than the conclusion of the tenth grade year.

(b) ~~The student has actually resided in Louisiana or has a parent or legal guardian who has actually resided in Louisiana during the twenty-four months prior to the date that the student's initial application is received by the administering agency. The student meets the citizenship and residency requirements provided in Subparagraph (A)(1)(a) of this Section.~~

Section 2. R.S. 17:3048.1(M) is hereby repealed in its entirety.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Theunissen, the amendments were adopted.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Adley	Fields	Michot
Barham	Heitmeier	Mount
Boissiere	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Jones, B	Smith
Dean	Jones, CD	Theunissen
Dupre	Lambert	Ullo
Ellington	Malone	
Total—23		

### NAYS

Mr. President	Gautreaux	Lentini
Bajoie	Hines	Marionneaux
Cain	Holden	Tarver
Cravins	Irons	
Fontenot	Johnson	
Total—13		

### ABSENT

Bean	McPherson	Thomas
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## HOUSE BILL NO. 557—

BY REPRESENTATIVE PIERRE

### AN ACT

To enact R.S. 56:312, relative to freshwater finfish caught by recreational and commercial fishermen; to require that certain features of such fish remain intact while the fish is on the vessel; to provide penalties for violations; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Romero sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Romero to Engrossed House Bill No. 557 by Representative Pierre

**AMENDMENT NO. 1**

On page 1, between lines 13 and 14, insert the following:

"(2) Cattfish.

(3) Buffalo.

(4) German Carp."

**AMENDMENT NO. 2**

On page 1, line 14, change "(2)" to "(5)"

**AMENDMENT NO. 3**

On page 1, line 15, change "(3)" to "(6)"

On motion of Senator Romero, the amendments were adopted.

The bill was read by title. Senator Romero moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Fields	Lentini	
Total—35		

**NAYS**

Total—0

**ABSENT**

Mr. President	Lambert
Bean	Thomas
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Romero moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 582—**

BY REPRESENTATIVE DIEZ

**AN ACT**

To enact R.S. 32:414.2(A)(2)(g) and (h) and (4)(e) and (f), relative to commercial motor vehicle drivers; to provide relative to disqualification of commercial motor vehicle drivers; to require the department to disqualify, for a lifetime, commercial driving privileges for certain offenses; to require the department to disqualify, for a minimum of one year, commercial driving privileges for certain offenses; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Cravins	Irons	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Ullo
Fields	Lentini	
Total—35		

**NAYS**

Total—0

**ABSENT**

Bajoie	Holden
Bean	Thomas
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 632—**

BY REPRESENTATIVE DIEZ

**AN ACT**

To amend and reenact R.S. 32:427(A)(1) and (3) and to enact R.S. 32:427(A) (5), relative to commercial motor vehicle drivers; increases the penalty for commercial motor vehicle driver convictions for violations of out-of-service orders; imposes a penalty against employers for certain convictions; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Bean	Hoyt	Thomas
------	------	--------

Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 769—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:412(D)(3)(c), relative to Class "D" or "E" driver's license renewals; to provide for the period that a license may be expired but still eligible for renewal by mail or electronic commerce; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lambert
Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bean	Marionneaux	Thomas
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 770—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 32:414.2(E), relative to commercial motor vehicle drivers; to provide relative to the notice requirements of the Federal Motor Carrier Safety Administration; to require the department to notify other licensing jurisdictions of certain convictions; to require other licensing jurisdictions to notify the department of certain convictions; to provide relative to an individual's official operating record; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lambert
Adley	Fontenot	Lentini

Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bean	McPherson	Thomas
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 786—

BY REPRESENTATIVES DANIEL AND WELCH

AN ACT

To repeal Section 4 of Act No. 47 of the 2002 First Extraordinary Session of the Legislature, relative to the Capitol House Taxing District; to remove the provision making the law providing for the district effective upon the transfer of property of the district to the East Baton Rouge City-Parish; and to provide for related matters.

The bill was read by title. Senator Holden moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Bean	Thomas
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Holden moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Regular Order of the Day Resumed**

**Senate Bills and Joint Resolutions on  
Third Reading and Final Passage,  
Subject to Call**

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

**Called from the Calendar**

Senator Hoyt asked that Senate Bill No. 81 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 81—**  
BY SENATOR HOYT

AN ACT

To repeal R.S. 18:402(F)(5), relative to election dates; to eliminate the January and July election dates for bond, tax or other proposition elections; and to provide for related matters.

On motion of Senator Hoyt, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator McPherson asked that Senate Bill No. 598 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 598—**  
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 14:112.2, relative to offenses affecting law enforcement; to prohibit not reporting to law enforcement or emergency personnel as soon as a communication can be effected certain observations; to provide penalties for violation; and to provide for related matters.

On motion of Senator McPherson, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator Chaisson asked that Senate Bill No. 768 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 768—**  
BY SENATOR CHAISSON

AN ACT

To amend and reenact Code of Civil Procedure Art. 1111, and to enact R.S. 9:2794.1, R.S. 40:1299.39(A)(10) and R.S. 40:1299.41(K) and Code of Civil Procedure Art. 1005.1, relative to offenses and quasi offenses; to provide relative to liability of certain tortfeasors for damages; to provide for legislative intent; and to provide for related matters.

On motion of Senator Chaisson, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator Cravins asked that Senate Bill No. 796 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 796—**  
BY SENATORS CRAVINS AND C. JONES  
AN ACT

To enact R.S. 15:906.1, relative to juvenile institutions; to create a Louisiana Juvenile Risk Review Panel; to provide for membership of the panel; to provide for the powers and duties

of the panel; to provide for the adoption of rules; and to provide for related matters.

On motion of Senator Cravins, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator Schedler asked that Senate Bill No. 905 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 905—**  
BY SENATOR SCHEDLER

AN ACT

To enact Chapter 59 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2751, and to repeal Part II of Chapter 4-A of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:321 through 323, relative to dedicated funds; to create the Special Populations Health Care Trust Fund; to provide for the deposit of monies in the fund; to provide for the uses of monies in the fund; to repeal the Rural Development Program; to provide for an effective date; and to provide for related matters.

On motion of Senator Schedler, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator Marionneaux asked that Senate Bill No. 1030 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 1030—**  
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact Civil Code Art. 2315.2(A), relative to wrongful death actions; to provide for a minor surviving brother and sister to have the same rights as a surviving spouse and child or children; to provide for retroactive application; and to provide for related matters.

On motion of Senator Marionneaux, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator Chaisson asked that Senate Bill No. 1063 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 1063—**  
BY SENATORS CHAISSON, DUPRE, GAUTREAUX, LAMBERT  
MARIONNEAUX AND FONTENOT  
(BY REQUEST)

AN ACT

To amend and reenact R.S. 13:312(1)(b) and 312.1, and to repeal R.S. 13:312.2, relative to court of appeal judges; to provide relative to the number of judges authorized for the First Circuit Court of Appeal; to create and provide for an additional division in the first district in the first circuit; to divide the first district of the Court of Appeal for the First Circuit into geographical election sections for the purpose of qualification and election in certain districts; to provide for the election and term of office for such judge; to provide for an effective date; and to provide for related matters.

On motion of Senator Chaisson, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator Dean asked that Senate Bill No. 992 be called from the Calendar at this time for its final passage.

### SENATE BILL NO. 992— BY SENATOR DEAN

AN ACT

To amend and reenact R.S. 14:89(B) and to enact R.S. 14:89(C), relative to crime; to provide relative to crime against nature; to provide for the exception of certain acts from such crime; and to provide for related matters.

The bill was read by title. Senator Dean moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Bajoie	Dean	Jones, B
Boissiere	Holden	Jones, CD
Chaisson	Irons	
Cravins	Johnson	
Total—10		

#### NAYS

Mr. President	Heitmeier	Mount
Adley	Hollis	Romero
Barham	Hoyt	Schedler
Cain	Lentini	Smith
Dardenne	Malone	Tarver
Dupre	Marionneaux	Theunissen
Ellington	McPherson	Ullo
Fontenot	Michot	
Total—23		

#### ABSENT

Bean	Gautreaux	Lambert
Fields	Hines	Thomas
Total—6		

The Chair declared the bill failed to pass. Senator Cain moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

### Called from the Calendar

Senator Boissiere asked that Senate Bill No. 1075 be called from the Calendar at this time for its final passage.

### SENATE BILL NO. 1075— BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 42:5(D), to enact R.S. 42:5(E), and to repeal R.S. 42:5.1, relative to public meetings; to provide that public comments at school board meetings shall comply with the same standard as other public bodies; to provide with regard to the agendas of city, parish, and other local public school boards; and to provide for related matters.

### Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Engrossed Senate Bill No. 1075 by Senator Boissiere

#### AMENDMENT NO. 1

On page 1, line 2, after "(D)" delete the remainder of the line and on line 3, delete "42:5.1" and insert "and to enact R.S. 42:5(E)"

#### AMENDMENT NO. 2

On page 1, line 3, delete "that" and insert "for"

#### AMENDMENT NO. 3

On page 1, line 4, after "meetings" delete the remainder of the line and insert "in certain cities"

#### AMENDMENT NO. 4

On page 1, line 5, delete "public bodies" and delete "the agendas of" and insert "public comments at other" and on line 6, delete "other"

#### AMENDMENT NO. 5

On page 2, line 2, after "E." delete the remainder of the line and delete lines 3 through 6 and insert the following: "Except for school boards in cities whose boundaries are coterminous with those of the parish, public comment in each city, parish, or other local school board shall be subject to the provisions of R.S. 42:5.1."

On motion of Senator Ullo, the amendments were adopted.

### Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed Senate Bill No. 1075 by Senator Boissiere

#### AMENDMENT NO. 1

On line 2 after "(D)" delete the remainder of the line and delete "42:5.1" on line 3, and insert "and to enact R.S. 42:5(E)"

#### AMENDMENT NO. 2

On page 1, at the end of line 3, after "at" insert "certain"

#### AMENDMENT NO. 3

On page 2, line 2, after "E." delete the remainder of the line and delete lines 3 through 6 and insert the following:

"(1) In those school boards in cities whose boundaries are coterminous with those of the parish, public meetings shall be conducted as follows:

(a) The agenda shall be posted at least twenty-four hours prior to the commencement of a board meeting and shall allow for public comment on the agenda items.

(b) Persons will be allowed to speak on only one agenda item. Persons will be allowed three minutes for their presentation to occur before the board votes on that item.

(c) The school board shall establish rules of order which shall provide for the ejection of any person from its place of meeting who may be disruptive to the decorum of the meeting and shall authorize the presiding officer to have such person removed from the premises.

(2) All other city, parish, or other local school boards shall be subject to the provisions of R.S. 42:5.1."

On motion of Senator Boissiere, the amendments were adopted.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Heitmeier	Mount
Adley	Hoyt	Tarver
Cravins	Jones, B	Theunissen
Ellington	Jones, CD	

Fontenot  
Total—13

Malone  
  
NAYS

Bajoie  
Barham  
Boissiere  
Cain  
Chaisson  
Dardenne  
Total—16

Dean  
Holden  
Hollis  
Irons  
Johnson  
Lentini

Michot  
Romero  
Smith  
Ullo

ABSENT

Bean  
Dupre  
Fields  
Gautreaux  
Total—10

Hines  
Lambert  
Marionneaux  
McPherson

Schedler  
Thomas

The Chair declared the amended bill failed to pass.

### Notice of Reconsideration

Senator Boissiere, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

### Personal Privilege

Senator Boissiere asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 1075. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

### Called from the Calendar

Senator Marionneaux asked that Senate Bill No. 1064 be called from the Calendar at this time for its final passage.

### SENATE BILL NO. 1064—

BY SENATOR MARIONNEAUX  
AN ACT

To amend and reenact R.S. 13:2488.62(A), (B), (C)(1) and (C)(2), and enact R.S. 13:2488.62(E), relative to the City Court of Plaquemine; to provide for the compensation of judge, marshal, clerk, deputy clerks and public defender of the court; to provide for an increase in court costs for each violation; to authorize the court to assess a fee to be used for substance abuse treatment; and to provide for related matters.

### Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed Senate Bill No. 1064 by Senator Marionneaux

#### AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and insert "enact"

#### AMENDMENT NO. 2

On page 1, line 3, after "Plaquemine;" delete "to" and delete lines 4 and 5 and on line 6, delete "costs for each violation;"

#### AMENDMENT NO. 3

On page 1, line 10, after "Section 1." delete the remainder of the line and on line 11, delete "amended and reenacted and"

#### AMENDMENT NO. 4

On page 1, delete lines 13 through 15.

#### AMENDMENT NO. 5

On page 2, delete lines 1 through 22.

On motion of Senator Marionneaux, the amendments were adopted.

The bill was read by title. Senator Marionneaux moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley  
Bajoie  
Barham  
Boissiere  
Cain  
Chaisson  
Cravins  
Dupre  
Ellington  
Fontenot  
Gautreaux  
Total—33

Heitmeier  
Hines  
Holden  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, CD  
Lambert  
Lentini

Malone  
Marionneaux  
McPherson  
Michot  
Mount  
Romero  
Schedler  
Smith  
Tarver  
Theunissen  
Ullo

#### NAYS

Dean  
Total—1

#### ABSENT

Mr. President  
Bean  
Total—5

Dardenne  
Fields  
Thomas

The Chair declared the amended bill was passed. The title was read and adopted. Senator Marionneaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Rules Suspended

Senator Adley asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

### Petitions, Memorials and Communications

The following petitions, memorials and communications were received and read:

### SENATE STATE OF LOUISIANA

June 9, 2003

Honorable Robert Adley  
State Senator  
611 Jessie Jones Drive  
Benton, LA 71006

Dear Senator Adley:

In accordance with Senate Rule 13.1, I hereby appoint you to serve as a member of the Senate Environmental Quality Committee.

I have temporarily removed Senator Bean from his position on the committee and I will reappoint him upon his return.

Sincerely,  
JOHN J. HAINKEL, JR.

**Appointment of Conference Committee  
on House Bill No. 1342**

The President of the Senate appointed on the Conference Committee on House Bill No. 1342 the following members of the Senate: Senators Theunissen, Mount and Hoyt.

**Appointment of Conference Committee  
on Senate Bill No. 388**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 388: Senators Schedler, Mount and B. Jones.

**Appointment of Conference Committee  
on House Bill No. 1776**

The President of the Senate appointed on the Conference Committee on House Bill No. 1776 the following members of the Senate: Senators Hollis, Cravins and Hainkel.

**Appointment of Conference Committee  
on Senate Bill No. 567**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 567: Senators Lentini, Tarver and Heitmeier.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

June 10, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 131—  
BY SENATOR MOUNT**

**A CONCURRENT RESOLUTION**

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of Dwayne A. Dupre.

Reported without amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**PASSED SENATE BILLS AND  
JOINT RESOLUTIONS**

June 10, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

**SENATE BILL NO. 723—**

BY SENATORS HAINKEL AND HOYT  
AN ACT

To amend and reenact R.S. 11:2260(A)(2)(introductory paragraph) and (a)(introductory paragraph), (c), and (6) and to enact R.S. 11:2260(A)(2)(g) and (h) and to repeal R.S. 11:2260(A)(2)(d), relative to the Firefighters' Retirement System of Louisiana; to provide for the membership of the board of trustees; to provide quorum requirements; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 648—**

BY SENATOR HEITMEIER

**AN ACT**

To amend and reenact R.S. 37:1787(D), 1793(A)(11), 1798(B), 1799(A), 1800(A) and (B), 1804(7), and 1807(A) and to enact R.S. 37:1798(C) and 1800(D), relative to pawnbrokers; to require the applicant to obtain insurance or post a surety bond; authorize the commissioner to verify an applicants network; to provide for the maturity date for forfeiture; to require the pawnbroker to provide certain information to local law enforcement; to provide for maximum allowable service charge; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 24—**

BY SENATOR DUPRE

**AN ACT**

To amend and reenact R.S. 40:1484.4(C)(4)(b), relative to the regulation of amusement attractions and rides; to provide for the inspection qualifications for air-supported structures; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 141—**

BY SENATOR DUPRE

**AN ACT**

To enact R.S. 32:408(B)(4)(c), relative to school bus drivers; to provide for a restriction to commercial driver's licenses for operation only of a school bus; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 681—**

BY SENATOR ULLO

**AN ACT**

To amend and reenact R.S. 8:502(A), relative to certain trust fund requirements; to provide for the delivery of property or services at a future date; to provide for an increase in the trust fund requirement; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 625—**BY SENATORS IRONS AND BOISSIERE  
AN ACT

To amend and reenact R.S. 13:4711(A), 4712, and 4713(A) and (C), relative to public nuisance; to provide for definitions; to provide that a petition establishes a rebuttable presumption of certain activity; to provide for an award of expenses incurred in abating a public nuisance or civil penalties upon issuance of a final injunction; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 39—**BY SENATOR DUPRE AND REPRESENTATIVE PITRE  
AN ACT

To enact Part VI-B of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:126, and to repeal R.S. 49:121(A)(2), relative to public vehicles; to provide for the placement of certain promotional stickers on public vehicles; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 84—**

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 48:1002(A), relative to ferries; to provide for the period of appropriation of state funds for operation and maintenance of the Monkey Island Ferry located in Cameron Parish; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 680—**

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 8:454(B), relative to cemeteries; to provide for the definition of a designated trustee required for perpetual or endowed care cemeteries; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 841—**

BY SENATOR GAUTREAUX

AN ACT

To amend and reenact R.S. 40:1651, 1652(6) and (7), 1653(A), (B), (C)(1), (D), and (F)(3), 1655(B) and (D), 1657(A), (B), (C), (F), 1658(1)(a), (d), and (e), (2), (3), (4) and (7), 1659(2), (3), (6), 1660, 1660.1, and 1661, to enact R.S. 40:1652(8), and to repeal R.S. 40:1657(I) and 1660.2, relative to fire protection system; to make various technical changes; to provide for licensure and certification of certain persons; to provide for notice, hearing, and revocation of a certificate or license; to provide administrative penalties; to provide for additional penalties; to provide for the use of certain funds; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 62—**

BY SENATOR MCPHERSON

AN ACT

To amend and reenact Code of Civil Procedure Art. 4501, relative to representation of minors; to authorize the mother to represent the minor in certain circumstances; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 410—**

BY SENATOR LENTINI

(On Recommendation of the La Law Institute)  
AN ACT

To amend and reenact Title XIII of Book III of the Civil Code formerly consisting of Articles 2926 through 2981, to comprise Articles 2926 through 2951; all relative to deposit, deposit with innkeepers, conventional sequestration, and judicial sequestration; to provide for a definition of deposit; to provide for matters for which no special provision is made; to provide for the nature of the contract of deposit; to provide for the formation of the contract of deposit; to provide for the standard by which a depositary is to fulfill his obligations; to provide for the use of the thing deposited by the depositary; to provide for when the thing deposited is a consumable; to provide for the return of the thing deposited; to provide for when the thing deposited is lost or deteriorated; to provide for the delivery of civil and natural fruits; to provide that the proof of ownership of the thing deposited is not required; to provide for when the thing deposited was a stolen thing; to provide for the place and expense of return; to provide for the time of return; to provide for the retention of the thing deposited by the depositary; to provide for the reimbursement of the depositary; to provide for the obligation of an innkeeper; to provide that an innkeeper is a compensated depositary for things of a guest that are delivered to him; to provide for when a safe is placed in a guest's room; to provide for when the things of a guest are stolen or damaged; to provide for a limitation on the liability of an innkeeper; to provide for the definition of conventional sequestration; to provide for the application of the rules of deposit to conventional sequestration when compatible; to provide for the termination of conventional sequestration by the depositary; to provide for judicial sequestration; to provide for the application of the rules of deposit and conventional sequestration to judicial sequestration when compatible; to provide for the obligations and rights of a judicial depositary; to provide an effective date; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 171—**

BY SENATOR B. JONES

AN ACT

To amend and reenact R.S. 9:2799(A)(2) and (B)(1), relative to limitation of liability for damages from donated food; to provide for the limitation of liability for damages from donated food for certain designated distributors; to provide that the definition of a "food bank" include distributing edible products to designated distributors; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 386—**

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 13:4751(B), relative to petitioning for name change of adults and minors; to provide for additional venues for filing for name change; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 631—**

BY SENATOR HOYT

AN ACT

To enact Chapter 3-E of Title 8 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 8:141 through 144 relative to cemetery districts; to provide for the creation of a cemetery district in St. Landry Parish; to provide for governing boards of the districts and their powers and duties; to provide for taxation; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 300—**  
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 9:1581, relative to the appointment of public administrators for successions in certain parishes; to provide for the appointment and terms of such administrators; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 794—**  
BY SENATOR C. JONES

AN ACT

To enact R.S. 51:936.3, relative to economic development; to require participation between certain departments to prioritize certain funding mechanisms for economically depressed zones, communities, and businesses; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 473—**  
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 9:391.1(A), relative to children conceived after the death of a parent; to provide that a child conceived after the death of a parent has all of the rights of a child as if the child had been in existence at the time of the death of the parent including the capacity to inherit from the deceased parent; to provide for the Louisiana State Law Institute to draft comments; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 322—**  
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 40:1299.47(G)(4), relative to medical review panels; to provide for certain written reasons to be included in expert opinions rendered by the medical review panel; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 407—**  
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 40:1484.2(8) and 1484.4, relative to regulation of amusement attractions and rides; to provide for inspection of air-supported structures; to provide for a definition; to provide for inspection; to provide for certification; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 824—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 23:1600(6)(a)(i), relative to unemployment benefits; to clarify law relative to prohibiting certain temporary teachers from receiving unemployment benefits during summer vacation between school terms; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 355—**  
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 40:1484.2(7), an to enact R.S. 40:1484.4(C)(4)(e) and (f), relative to regulation of amusement attractions and rides; to provide for inspection; to provide for a definition; to provide for additional requirements for air-

supported amusement attractions; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 1058—**  
BY SENATOR SMITH

AN ACT

To authorize the Board of Supervisors of Community and Technical Colleges to transfer title to certain property; to authorize certain municipalities to engage in such transfers; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 68—**  
BY SENATOR SMITH

AN ACT

To enact R.S. 33:381(C)(27), relative to municipal officers; to provide that the village of Dry Prong shall appoint the chief of police; to provide for the salary, duties, qualifications, and responsibilities of the chief of police; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 336—**  
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 23:1310.5(E), relative to workers' compensation; to provide with respect to claim resolution; to provide for hearing and appellant procedures; to provide for surgical procedures; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 346—**

BY SENATORS DARDENNE, SCHEDLER, CAIN, BARHAM, BOISSIERE, CRAVINS, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAUX, HINES, HOLDEN, HOLLIS, HOYT, IRONS, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, ROMERO, SMITH, THEUNISSEN AND ULLO

AN ACT

To amend and reenact R.S. 15:603(8), (9), (10), and (11), and 609(A), (B), and (C) and Code of Criminal Procedure Art. 572 and to enact R.S. 15:603(12) and (13) and 609(F), (G), (H), and (I), relative to DNA detection of sexual and violent offenders; to provide relative to the collection of DNA samples from certain offenders; to provide for definitions; to add certain offenses to crimes requiring the collection of such samples; to provide relative to juvenile offenders; to require DNA samples collection of such offenders under certain conditions; to require DNA sample collection after interstate transfer of offenders under certain conditions; to prohibit the invalidation of a database match under certain circumstances; to provide relative to the limitation of the prosecution of noncapital offenses; to provide for exceptions to such limitations; to require retroactivity of such exceptions; to authorize the use of force under certain circumstances; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 251—**

BY SENATOR LENTINI

(On Recommendation of the La. Law Institute)

AN ACT

To amend and reenact R.S. 9:1893, 1963, 1965, 1990, 2051, 2068, 2159(1), and 2241 and to enact R.S. 9:1809, 1979, and 2131, relative to the Louisiana Trust Code, the beneficiaries of a trust, the powers of a trustee, and the principal and income of a trust; to provide for the representation of a principal beneficiary who is a descendant, a sibling, or a descendant of a sibling of the settlor and who predeceases the settlor of a testamentary trust; to provide for a definition of accumulated income and to permit

its distribution without objective standards; to provide for the beneficiaries of an interest in trust income after the termination of an interest in trust income; to provide for the status of a potential substitute principal beneficiary; to provide for the effect of a refusal of an interest in a trust; to provide for the modification, division, termination, or revocation of a trust by a testament; to provide for the non-prorata distribution of trust property by a trustee; to provide that a trustee may not make an adjustment between principal and income if the adjustment would cause ineligibility for the estate-tax or gift tax marital deduction or charitable deduction; to provide for the selection by the trustee of the attorney to handle the legal affairs of a trust; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 940—**  
BY SENATOR C. JONES

AN ACT

To enact R.S. 23:1514(F), relative to unemployment compensation; to provide with respect to worker training funds; to provide for customized training for all employees; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 773—**  
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 32:398(K)(1), relative to accident reports; to provide for fees charged for providing copies of accident reports; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 232—**  
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 40:1299.41(A)(1), (8), and (9), relative to medical malpractice; to provide changes in definitions of certain terms; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 849—**  
BY SENATOR ELLINGTON

AN ACT

To enact Subpart F of Part III of Chapter 4 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:2341 through 2345; relative to police; to provide for a management institute; to provide for a board; to provide for duties; to provide for management; to provide for training; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 771—**  
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 23:1127(C)(2), relative to workers' compensation; to provide with respect to medical examinations; to require any party scheduling a conference to bear the responsibility of paying any fees charged; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1016—**

BY SENATOR DUPRE AND REPRESENTATIVES DARTEZ AND DOWNER

AN ACT

To enact R.S. 13:1910.1, relative to city court judicial building funds; to authorize a service charge to be collected by the City Court of Houma and the Terrebonne Parish Consolidated Government; to provide for exclusive dedication of all monies collected; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 846—**  
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 33:2740.55, relative to special taxing districts in the town of Columbia; to provide for the creation of a downtown development district; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1019—**  
BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 27:317, relative to the Louisiana Gaming Control Law; to provide with respect to the Video Draw Poker Devices Control Law; to provide with respect to residence and domicile requirements for certain licensees; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 413—**  
BY SENATORS SMITH AND DUPRE

AN ACT

To enact R.S. 33:381.2, relative to municipal officers; to provide that municipalities with a population of two thousand five hundred or less may appoint or elect the marshal who is the chief of police; to provide the procedure for appointment or election; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 260—**  
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 33:130.202(A)(3),(4),(5),(6), and (7), and (G), and 130.210(A)(1) and to repeal R.S. 33:130.202(A)(8), 130.210(A)(3), and 130.211, relative to parish development boards; to provide for revisions to the LaSalle Economic Development District; to provide for changes among the district's commissioners; to establish a quorum, to remove restrictions upon the district's authority; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 457—**  
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 13:2586(D) and to enact R.S. 13:2586(C)(4) and 2587.2, relative to jurisdiction for justice of the peace courts; to authorize justice of the peace courts to have jurisdiction over certain objects that have been removed, abandoned or disposed of; to provide for appellate procedure for such actions; to provide for fines and penalties; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 637—**  
BY SENATOR HEITMEIER

AN ACT

To repeal R.S. 48:442(3)(e), relative to expropriation by the Department of Transportation and Development; to repeal the requirement of certain notification to the owners of property; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 106—**  
BY SENATOR FIELDS

AN ACT

To enact R.S. 51:1421, relative to deceptive and unfair trade practices; to provide that a retail business may not require or obtain certain personal information for certain transactions; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 42—**  
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 38:2212(C)(2), relative to public work; to require public entities to transmit addendum to bids for contracts for such work exceeding the contract limit by means other than mail; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 748—**  
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 40:2010.8(D)(1) and 2010.9(A) and (B) and to enact R.S. 40:2010.9(C), relative to nursing homes and health care facilities; to provide for a resident's personal right of action; to provide that a resident may assert a cause of action for injunctive relief; to provide that attorney fees cannot be recovered in a tort or contract action; to provide for a prescription period to bring such actions; to provide a peremptive period; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1079—**  
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 6:101(B)(1), relative to the commissioner of the office of financial institutions; to provide for qualifications; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 53—**  
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 32:866(A)(3), relative to compulsory motor vehicle liability; to provide an exception to the limitation of recoverable damages; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 833—**  
BY SENATORS HOLDEN (BY REQUEST) AND HAINKEL

AN ACT

To enact R.S. 17:421.9, relative to school psychologists; to provide a salary supplement for certain public school psychologists that have acquired certification by the National School Psychology Certification Board; to provide conditions and guidelines for receiving the supplement; to provide for payment; to provide for limitations; to provide for implementation only to the extent funds are appropriated; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 968—**  
BY SENATOR B. JONES

AN ACT

To enact R.S. 46:153(H), relative to Medicaid assistance and estate recovery; to provide for retention of the Department of Health and Hospitals assignment of rights; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 104—**  
BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 13:3881(A)(2)(d), relative to seizures; to provide for an exemption in bankruptcy proceedings for a motor vehicle valued at seven thousand five hundred dollars or less; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 458—**  
BY SENATOR DUPRE

AN ACT

To enact R.S. 9:5167.2, relative to the cancellation of mortgages; to require the mortgagee to cancel the mortgage inscription; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 497—**  
BY SENATORS HOLLIS AND MICHOT

AN ACT

To amend and reenact R.S. 40:1722(B)(2), (3), (4), and (5), and (D), 1723(B), 1727(3), and 1728(A), and to enact R.S. 40:1730.1, and to repeal R.S. 40:1722(C), relative to the state building code; to provide for the building code; to provide for the mechanical code; to provide for the standard electric code; to clarify departmental jurisdictional responsibilities; to provide legislative findings; to provide for adoption of a uniform code; to provide for enforcement; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 340—**  
BY SENATOR IRONS

AN ACT

To enact R.S. 47:303(B)(3)(b)(v), relative to political subdivisions entering into sales and use tax collection agreements; provides that political subdivisions entering into such agreements shall provide the vehicle commissioner with certain information; provides that such information shall be used in connection with the collection of the political subdivision's sales and use taxes; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 70—**  
BY SENATOR GAUTREUX

AN ACT

To amend and reenact R.S. 32:365(A), relative to motor vehicles; to provide with respect to traffic safety regulations; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

### Introduction of Resolutions, Senate and Concurrent

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

#### SENATE RESOLUTION NO. 68—

BY SENATOR C. JONES

##### A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of James Sharp, Jr.

On motion of Senator C. Jones, the resolution was read by title and adopted.

#### SENATE CONCURRENT RESOLUTION NO. 135—

BY SENATOR MOUNT

##### A CONCURRENT RESOLUTION

To recognize and commend the Sulphur High School Chorus for achieving the title of grand champions of the National Concert Chorus Cup in Branson, Missouri.

The resolution was read by title. Senator Mount moved to adopt the Senate Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fontenot	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Holden	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, CD	Theunissen
Ellington	Lambert	Ulló
Total—33		

#### NAYS

Total—0

#### ABSENT

Bean	Fields	Marionneaux
Dupre	Hines	Thomas
Total—6		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

### Messages from the House

The following Messages from the House were received and read as follows:

#### Message from the House

#### ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

June 10, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

#### HOUSE BILL NO. 360—

BY REPRESENTATIVE BRUNEAU

##### AN ACT

To enact R.S. 42:1119(C)(5), relative to the Code of Governmental Ethics; to provide for reemployment of retirees whose employment complies with provisions of such code relative to nepotism on the date of retirement; to provide for an effective date; and to provide for related matters.

#### HOUSE BILL NO. 1052—

BY REPRESENTATIVE LEBLANC

##### AN ACT

To amend and reenact R.S. 44:4(15), relative to public records; to provide for the applicability of the public records law exception regarding certain records of the office of risk management and similar records of certain municipalities and parishes; to provide for the application of the exception to an attorney representing the state, municipality, or parish; to provide that members and committees of the legislature may obtain certain information from the office of risk management for certain purposes; and to provide for related matters.

#### HOUSE BILL NO. 1287—

BY REPRESENTATIVE PERKINS

##### AN ACT

To enact R.S. 42:1123(32), relative to the Code of Governmental Ethics; to allow certain volunteer firemen and law enforcement officers and legal entities in which they have any interest to engage in certain transactions under jurisdiction of their agencies; to provide restrictions; and to provide for related matters.

#### HOUSE BILL NO. 1313—

BY REPRESENTATIVE GLOVER

##### AN ACT

To amend and reenact R.S. 18:564(B) and (D) and to enact R.S. 18:1461(A)(23), relative to the requirements to receive assistance in voting; to prohibit any person, other than a commissioner, from providing assistance in voting to more than two voters on any election day and to make a violation of this prohibition an election offense; to remove the requirement that a voter provide a certificate of disability from a physician, medical doctor, or optometrist; to provide that a voter may receive assistance in voting by filing with the registrar or presenting to the commissioner-in-charge a written statement of his need for assistance in voting; and to provide for related matters.

#### HOUSE BILL NO. 1679—

BY REPRESENTATIVE BROOME

##### AN ACT

To enact R.S. 42:1123(32), relative to exceptions to the Code of Governmental Ethics; to provide for any person who has a contract for advertising services with the Department of Culture, Recreation and Tourism to enter into contracts with any other person who engages in a transaction with the Department of Culture, Recreation and Tourism; and to provide for related matters.

#### HOUSE BILL NO. 1447—

BY REPRESENTATIVES HEBERT AND TUCKER

##### AN ACT

To amend and reenact R.S. 22:2010(G) and 2013 (E) and (F), relative to health maintenance organizations; to provide relative to the liquidation or windup of a health maintenance organization; to provide for the priority of payments from the estate of an insolvent health maintenance organization; and to provide for related matters.

**HOUSE BILL NO. 1416—**

BY REPRESENTATIVE GALLOT

**AN ACT**

To amend and reenact R.S. 42:1123(22), relative to exemptions from the conflicts of interest laws; to provide for an exemption for mayors and members of a governing authority to enter in certain transactions in municipalities with a population of three thousand five hundred or less; to require a municipality to submit a plan for such transactions to the Board of Ethics for approval; to provide for the requirements of such plan; and to provide for related matters.

**HOUSE BILL NO. 1440—**

BY REPRESENTATIVES HEBERT AND FRUGE

**AN ACT**

To amend and reenact R.S. 22:5(10), 215(A)(1)(introductory paragraph) and (a)(iv) and (vi), 221(B), and 3074(C) and to enact R.S. 22:2004(D)(3), relative to health insurance; relative to clarifying various provisions of law relative to employer group trusts, multiple employer trusts, association health coverage, medical necessity review organizations, and health maintenance organizations; and to provide for related matters.

**HOUSE BILL NO. 1650—**

BY REPRESENTATIVE WOOTON

**AN ACT**

To enact R.S. 33:1448(K), relative to group insurance for sheriffs and deputy sheriffs; to require the sheriff of any parish with a population of between 26,000 and 28,000 to pay certain premium costs of specified group insurance for certain retired officials and employees; to provide limitations; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions**

Senator Malone asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

**HOUSE BILL NO. 360—**

BY REPRESENTATIVE BRUNEAU

**AN ACT**

To enact R.S. 42:1119(C)(5), relative to the Code of Governmental Ethics; to provide for reemployment of retirees whose employment complies with provisions of such code relative to nepotism on the date of retirement; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 1052—**

BY REPRESENTATIVE LEBLANC

**AN ACT**

To amend and reenact R.S. 44:4(15), relative to public records; to provide for the applicability of the public records law exception regarding certain records of the office of risk management and similar records of certain municipalities and parishes; to provide for the application of the exception to an attorney representing the state, municipality, or parish; to provide that members and committees of the legislature may obtain certain information from the office of risk management for certain purposes; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 1287—**

BY REPRESENTATIVE PERKINS

**AN ACT**

To enact R.S. 42:1123(32), relative to the Code of Governmental Ethics; to allow certain volunteer firemen and law enforcement officers and legal entities in which they have any interest to engage in certain transactions under jurisdiction of their agencies; to provide restrictions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 1313—**

BY REPRESENTATIVE GLOVER

**AN ACT**

To amend and reenact R.S. 18:564(B) and (D) and to enact R.S. 18:1461(A)(23), relative to the requirements to receive assistance in voting; to prohibit any person, other than a commissioner, from providing assistance in voting to more than two voters on any election day and to make a violation of this prohibition an election offense; to remove the requirement that a voter provide a certificate of disability from a physician, medical doctor, or optometrist; to provide that a voter may receive assistance in voting by filing with the registrar or presenting to the commissioner-in-charge a written statement of his need for assistance in voting; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 1416—**

BY REPRESENTATIVE GALLOT

**AN ACT**

To amend and reenact R.S. 42:1123(22), relative to exemptions from the conflicts of interest laws; to provide for an exemption for mayors and members of a governing authority to enter in certain transactions in municipalities with a population of three thousand five hundred or less; to require a municipality to submit a plan for such transactions to the Board of Ethics for approval; to provide for the requirements of such plan; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 1440—**

BY REPRESENTATIVES HEBERT AND FRUGE

**AN ACT**

To amend and reenact R.S. 22:5(10), 215(A)(1)(introductory paragraph) and (a)(iv) and (vi), 221(B), and 3074(C) and to enact R.S. 22:2004(D)(3), relative to health insurance; relative to clarifying various provisions of law relative to employer group trusts, multiple employer trusts, association health coverage, medical necessity review organizations, and health maintenance organizations; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Insurance.

**HOUSE BILL NO. 1447—**

BY REPRESENTATIVES HEBERT AND TUCKER

**AN ACT**

To amend and reenact R.S. 22:2010(G) and 2013 (E) and (F), relative to health maintenance organizations; to provide relative to the liquidation or windup of a health maintenance organization; to provide for the priority of payments from the estate of an insolvent health maintenance organization; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Insurance.

**HOUSE BILL NO. 1650—**

BY REPRESENTATIVE WOOTON

**AN ACT**

To enact R.S. 33:1448(K), relative to group insurance for sheriffs and deputy sheriffs; to require the sheriff of any parish with a population of between 26,000 and 28,000 to pay certain premium costs of specified group insurance for certain retired officials and employees; to provide limitations; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Insurance.

**HOUSE BILL NO. 1679—**

BY REPRESENTATIVE BROOME

**AN ACT**

To enact R.S. 42:1123(32), relative to exceptions to the Code of Governmental Ethics; to provide for any person who has a contract for advertising services with the Department of Culture, Recreation and Tourism to enter into contracts with any other person who engages in a transaction with the Department of Culture, Recreation and Tourism; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House****ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

June 10, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 230—**

BY REPRESENTATIVE FUTRELL AND SENATOR DARDENNE

**A CONCURRENT RESOLUTION**

To recognize October 1, 2003, as World Peace Day in the state of Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 231—**

BY REPRESENTATIVE RICHMOND

**A CONCURRENT RESOLUTION**

To commend René Michelle Wilson upon her selection as a featured principal in the film *Unchain My Heart*.

**HOUSE CONCURRENT RESOLUTION NO. 232—**

BY REPRESENTATIVES THOMPSON, FANNIN, HAMMETT, KENNEY, AND TOWNSEND AND SENATORS C. JONES, ELLINGTON, SMITH, AND CAIN

**A CONCURRENT RESOLUTION**

To recognize the Davy Crockett Charity Ride and honor and commend its many volunteers and its organizer, Phil Thomas.

**HOUSE CONCURRENT RESOLUTION NO. 233—**

BY REPRESENTATIVE BOWLER

**A CONCURRENT RESOLUTION**

To urge and request the division of administration to study the feasibility of implementing a statewide electronic payment system.

**HOUSE CONCURRENT RESOLUTION NO. 234—**

BY REPRESENTATIVE ERDEY AND SENATOR FONTENOT

**A CONCURRENT RESOLUTION**

To commend Staff Sergeant Michael McNaughton for his extraordinary service and great sacrifice for his country while serving during Operation Enduring Freedom.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**House Concurrent Resolutions**

Senator Dean asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 230—**

BY REPRESENTATIVE FUTRELL AND SENATOR DARDENNE

**A CONCURRENT RESOLUTION**

To recognize October 1, 2003, as World Peace Day in the state of Louisiana.

The resolution was read by title. Senator Dardenne moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux	Malone
Adley	Heitmeier	Marionneaux
Bajoie	Holden	McPherson
Barham	Hollis	Michot
Cain	Hoyt	Mount
Chaisson	Irons	Romero
Cravins	Johnson	Schedler
Dardenne	Jones, B	Smith
Dean	Jones, CD	Tarver
Ellington	Lambert	Theunissen
Fontenot	Lentini	Ullo
Total—33		

**NAYS**

Total—0

**ABSENT**

Bean	Dupre	Hines
Boissiere	Fields	Thomas
Total—6		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 231—**

BY REPRESENTATIVE RICHMOND

**A CONCURRENT RESOLUTION**

To commend René Michelle Wilson upon her selection as a featured principal in the film *Unchain My Heart*.

The resolution was read by title. Senator Boissiere moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Heitmeier	Marionneaux
Bajoie	Holden	McPherson
Barham	Hollis	Michot
Boissiere	Hoyt	Mount
Cain	Irons	Romero
Chaisson	Johnson	Schedler
Cravins	Jones, B	Smith
Dardenne	Jones, CD	Tarver
Ellington	Lambert	Theunissen
Fontenot	Lentini	Ullo
Gautreaux	Malone	
Total—32		

**NAYS**

Total—0

**ABSENT**

Mr. President	Dupre	Thomas
Bean	Fields	
Dean	Hines	
Total—7		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 232—**

BY REPRESENTATIVES THOMPSON, FANNIN, HAMMETT, KENNEY, AND TOWNSEND AND SENATORS C. JONES, ELLINGTON, SMITH, AND CAIN

**A CONCURRENT RESOLUTION**

To recognize the Davy Crockett Charity Ride and honor and commend its many volunteers and its organizer, Phil Thomas.

The resolution was read by title. Senator Smith moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux	Marionneaux
Adley	Heitmeier	McPherson
Bajoie	Holden	Michot
Barham	Hollis	Mount
Boissiere	Hoyt	Romero
Cain	Irons	Schedler
Chaisson	Johnson	Smith
Cravins	Jones, B	Tarver
Dardenne	Jones, CD	Theunissen
Dean	Lambert	Ullo
Ellington	Lentini	
Fontenot	Malone	
Total—34		

**NAYS**

Total—0

**ABSENT**

Bean	Fields	Thomas
Dupre	Hines	

Total—5

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 233—**

BY REPRESENTATIVE BOWLER

**A CONCURRENT RESOLUTION**

To urge and request the division of administration to study the feasibility of implementing a statewide electronic payment system.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Finance.

**HOUSE CONCURRENT RESOLUTION NO. 234—**

BY REPRESENTATIVE ERDEY AND SENATOR FONTENOT

**A CONCURRENT RESOLUTION**

To commend Staff Sergeant Michael McNaughton for his extraordinary service and great sacrifice for his country while serving during Operation Enduring Freedom.

The resolution was read by title. Senator Fontenot moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux	Malone
Adley	Heitmeier	Marionneaux
Bajoie	Holden	McPherson
Barham	Hollis	Michot
Boissiere	Hoyt	Mount
Cain	Irons	Romero
Cravins	Johnson	Schedler
Dardenne	Jones, B	Smith
Dean	Jones, CD	Tarver
Ellington	Lambert	Theunissen
Fontenot	Lentini	Ullo
Total—33		

**NAYS**

Total—0

**ABSENT**

Bean	Dupre	Hines
Chaisson	Fields	Thomas
Total—6		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**JUDICIARY A**

Senator Ellington, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

June 10, 2003

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

**HOUSE CONCURRENT RESOLUTION NO. 172—**

BY REPRESENTATIVES BOWLER AND CAPELLA

**A CONCURRENT RESOLUTION**

To request that the Louisiana State Law Institute study certain aspects of laws related to immovable property, land titles, and trust property.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 225—**

BY REPRESENTATIVE BOWLER AND SENATOR FIELDS

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana State Law Institute, Marriage/Persons Committee, to replace references to illegitimate children in its revision of the Civil Code articles on filiation.

Reported favorably.

**HOUSE BILL NO. 303—**

BY REPRESENTATIVE BOWLER

**AN ACT**

To amend and reenact R.S. 9:315.20(Obligation Worksheet B), relative to the shared custodial worksheet; to clarify language used in calculating payments to third parties; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 365—**

BY REPRESENTATIVE GARY SMITH

**AN ACT**

To enact R.S. 9:315.36, relative to the suspension of licenses for the nonpayment of support; to provide for the judicial suspension of licenses; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 397—**

BY REPRESENTATIVE GREEN

**AN ACT**

To enact R.S. 9:292, relative to name changes; to provide for the use of surnames by married persons; to provide for the use of a deceased spouse's surname; to provide for the use of a former spouse's surname; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 398—**

BY REPRESENTATIVE BALDONE

**AN ACT**

To amend and reenact Code of Civil Procedure Article 1734.1, relative to deposits for jury trials; to provide for the discretionary authority of the court in setting the amount of the deposit; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 429—**

BY REPRESENTATIVE PITRE

**AN ACT**

To enact R.S. 23:291(D), relative to disclosure of employment information; to provide employers with immunity from civil liability under certain circumstances; to provide the definition of "owners"; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 453—**

BY REPRESENTATIVE HAMMETT

**AN ACT**

To enact R.S. 9:5607, relative to civil liability for damages; to provide for peremption of actions for damages against a professional engineer, surveyor, and architect; to provide for a prescriptive period for such actions; to provide for applicability; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 551—**

BY REPRESENTATIVE HAMMETT

**AN ACT**

To amend and reenact R.S. 9:2772(A) and (C) and to repeal R.S. 9:2772(D), relative to peremptive periods for filing actions involving deficiencies in surveying, design, supervision, or construction of immovables; to provide for periods within which to file certain actions; to repeal obsolete provision relative to prescription of actions; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 604—**

BY REPRESENTATIVES DEVILLIER AND MURRAY

**A JOINT RESOLUTION**

Proposing to amend Article I, Section 4 of the Constitution of Louisiana, relative to the right to property; to provide for the protection of the ownership rights of personal property; to clarify that contraband has no such protection; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 766—**

BY REPRESENTATIVES PITRE, JOHNS, AND WALSWORTH

**AN ACT**

To amend and reenact R.S. 49:214.5, relative to coastal restoration; to provide that state and political subdivisions shall be held harmless; to provide for applicability to certain claims; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 784—**

BY REPRESENTATIVE DANIEL

**AN ACT**

To amend and reenact R.S. 9:2721.1(A), relative to the recordation of leases of immovable property; to provide for recordation of certain mineral leases; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1259—**

BY REPRESENTATIVE ILES

**AN ACT**

To amend and reenact R.S. 9:315.45(B)(1), relative to drivers' licenses; to provide relative to the suspension of a driver's license for nonpayment of child support; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1487—**

BY REPRESENTATIVE PINAC

**AN ACT**

To amend and reenact R.S. 40:1622, relative to fire protection and prevention; to provide for criminal and civil liability for violations; to provide for a rebuttable presumption; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1564—**

BY REPRESENTATIVE WALSWORTH  
AN ACT

To amend and reenact R.S. 46:236.5(C), relative to hearing officers; to provide for the use of hearing officers in expedited proceedings relative to domestic matters; to expand the authority of hearing officers; to provide for the entering of default judgments; to provide for the granting of uncontested matters; to authorize the referral for mediation, evaluations, and drug tests; to provide for contempt of court; to provide a process for objecting to a hearing officer's recommendations; to provide for final judgments; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1617—**

BY REPRESENTATIVE DEVILLIER  
AN ACT

To amend and reenact Civil Code Article 1833, relative to signatures on authentic acts; to require legible hand printed or typed names; to provide for defect of form; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1854—**

BY REPRESENTATIVE BOWLER  
AN ACT

To amend and reenact R.S. 35:12 and 191(C)(2)(a) and to enact R.S. 35:202, 215, 216, and 409, relative to notaries public; to provide for the use of identification numbers on notarized documents; to require the filing of annual reports and filing fees; to provide for late charges and penalties; to provide for uniform standards for notary examinations; to provide for the authority and duties of the secretary of state; to provide for certain fees; to provide for a database of all notaries; to provide for the authority of ex officio notaries; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1896—**

BY REPRESENTATIVE PITRE  
AN ACT

To enact R.S. 9:2800.13, relative to liability for damages related to transportation of material by carrier; to provide for specific findings of fact; to provide for a determination of causation; to provide for evidence of negligence or fault; to provide for the applicability of comparative fault; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 2020 (Substitute for House Bill No. 1546 by Representative Bowler)—**

BY REPRESENTATIVE BOWLER  
AN ACT

To amend and reenact R.S. 9:2273, relative to trusts; to provide for the definition of corporate trustee; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
NOBLE E. ELLINGTON  
Chairman

**REPORT OF COMMITTEE ON**

**JUDICIARY B**

Senator Cravins, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

June 10, 2003

To the President and Members of the Senate:

I am directed by your Committee on Judiciary B to submit the following report:

**HOUSE CONCURRENT RESOLUTION NO. 56—**

BY REPRESENTATIVES LANDRIEU, HUNTER, MARTINY, WINSTON, RICHMOND, BRUCE, AND FAUCHEUX AND SENATORS CRAVINS, BAJOE, LENTINI, MICHOT, AND MOUNT

**A CONCURRENT RESOLUTION**

To propose a plan for juvenile justice reform in the state of Louisiana by establishing a comprehensive strategy and directing action for implementation.

Reported with amendments.

**HOUSE CONCURRENT RESOLUTION NO. 220—**

BY REPRESENTATIVE QUEZAIRE

**A CONCURRENT RESOLUTION**

To urge and request the Department of Public Safety and Corrections to establish a probation and parole office in Donaldsonville to serve the three parishes in the Twenty-Third Judicial District.

Reported favorably.

**HOUSE BILL NO. 795—**

BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 27:20(C), 28(B)(1)(e), 29.4(C), 85(D), 231(B), 371(A), and 376(A) and to enact R.S. 27:30.3, 30.4, 85(E), 260(E), and 376(C), (D), and (E), relative to the Louisiana Gaming Control Law; to provide for a comprehensive revision of the law applicable to gaming; to authorize gaming licensees to detain a person suspected of committing the crime of gaming when the person is under the age of twenty-one; to create the crime of using or manufacturing slugs or counterfeit chips or tokens; to create the crime of the manufacture, sale, or distribution of gaming materials intended for illegal use; to provide for applicability; to provide for penalties; to provide for definitions; to delete the provision of law requiring presence of an agent of the gaming board to be present all times during hours of operation at land-based casinos; to provide that a felony crime of violence is a basis for disqualification for granting a license, permit, or other board approval; to require key and non-key gaming employees be twenty-one years of age; to provide criminal penalties for allowing a person under the age of twenty-one to play slot machines in an eligible horse racing facility; to provide with respect to defenses; to prohibit the game of poker to be offered on slot machines at eligible horse racing facilities; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 816—**

BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 15:574.1 and 574.2(A)(3), relative to the traveling expenses of the members of the Board of Parole and the Board of Pardons; to provide that members of the Board of Parole and the Board of Pardons shall have the use of a state-owned vehicle; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1077—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 27:312(C)(1)(b)(introductory paragraph) and to enact R.S. 33:171(C), relative to municipal annexations; to provide relative to monies distributed to certain parishes and

municipalities from the Video Draw Poker Device Fund relative to such annexations; and to provide for related matters.

Reported favorably.

#### HOUSE BILL NO. 1463—

BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 27:306(A)(4)(c)(ii)(cc), relative to qualified truck stops for the operation of video draw poker devices; to provide for the number of hours per day the restaurant at a qualified truck stop must be open; and to provide for related matters.

Reported favorably.

#### HOUSE BILL NO. 1724—

BY REPRESENTATIVE POWELL  
AN ACT

To amend and reenact R.S. 15:572.2, relative to compensation of members of the Board of Pardons; increases the salaries of the chairman and the members of the Board of Pardons; provides for a separate salary and increased salary for the vice chairman; and to provide for related matters.

Reported favorably.

#### HOUSE BILL NO. 1862—

BY REPRESENTATIVE PERKINS  
AN ACT

To amend and reenact R.S. 15:572(A) and (B), relative to pardons; to provide that a pardon shall not be issued to any person unless that person has paid all of the fees and fines which were imposed in connection with the conviction of the crime for which the pardon is to be issued; and to provide for related matters.

Reported with amendments.

#### HOUSE BILL NO. 2026 (Substitute for House Bill No. 408 by Representative Martiny)—

BY REPRESENTATIVE MARTINY  
AN ACT

To enact R.S. 27:311(F), relative to the Video Draw Poker Devices Control Law; to exempt device owners from maintaining a minimum balance or security under certain conditions; to provide penalties; and to provide for related matters.

Reported favorably.

#### HOUSE BILL NO. 2027 (Substitute for House Bill No. 466 by Representative Martiny)—

BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 27:317 and to enact R.S. 27:302.1, relative to the Video Draw Poker Devices Control Law; to provide that certain parts for video draw poker devices can be purchased from sources other than licensed manufacturers and distributors; to delete residence and domicile requirements for certain licensees; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
DONALD R. CRAVINS  
Chairman

#### Motion to Recommit

Senator Heitmeier asked for and obtained a suspension of the rules and recommitted House Bill No. 1579 from the Committee on Transportation, Highways, and Public Works to the Committee on Natural Resources.

#### Rules Suspended

Senator Cravins asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 2018 from the Committee on Finance.

#### HOUSE BILL NO. 2018 (Substitute for House Bill No. 1683 by Representative Landrieu, et al.)—

BY REPRESENTATIVES LANDRIEU, HUNTER, MARTINY, WINSTON, ALARIO, ANSARDI, ARNOLD, BALDONE, BAUDOUIN, BAYLOR, BROOME, BRUCE, CAPELLA, K. CARTER, CROWE, DAMICO, DANIEL, DARTEZ, DOERGE, DOWNER, DOWNS, FAUCHEUX, FRITH, GALLOT, GLOVER, GREEN, GUILLORY, HEATON, HEBERT, HILL, HONEY, HUDSON, ILES, L. JACKSON, JOHNS, KENNARD, LAFLEUR, LUCAS, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PEYCHAUD, PIERRE, PITRE, POWELL, QUEZAIRE, RICHMOND, ROMERO, SCHWEGMANN, JACK SMITH, SNEED, STELLY, STRAIN, TOOMY, TOWNSEND, WELCH, WOOTON, WRIGHT, CAZAYOUX, AND DANIEL AND SENATORS CRAVINS, BAJOE, LENTINI, MICHOT, MONT, BOISSIERE, CHAISSON, FIELDS, HOLDEN, HOLLIS, IRONS, B. JONES, MARIONNEAUX, SCHEDLER, TARVER, AND THOMAS  
AN ACT

To amend and reenact R.S. 46:2601(A)(1), 2603(A) and (B)(2), 2604, and 2607 and to enact R.S. 15:902.2 and 902.3, Part XI-A of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1110, Chapter 14 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1461 through 1464, Subpart C-1 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:251 and 252, R.S. 36:4(E), Part I of Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2600, R.S. 46:2605.1, 2605.2, and 2605.3, Part III of Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2608 through 2610, and Chapter 59 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2751 through 2757, to designate Part II of Chapter 45, comprising R.S. 46:2601 through 2606 as "Part II. Children's Cabinet, Children's Budget, and Affiliated Boards", all relative to the reform of juvenile justice; to create the Juvenile Justice Reform Act of 2003; to provide with respect to the closure of Swanson Correctional Center for Youth-Madison Parish Unit; to create a juvenile placement review process; to establish juvenile detention standards and licensing procedures; to establish interagency agreements for sharing of juvenile information; to create the Juvenile Justice Reform Act Implementation Commission, including as one of its duties the creation of a plan for a single state entity for providing services to children and their families; to create the Education/Juvenile Justice Partnership Act; to continue until August 15, 2008, the Children's Cabinet; to provide definitions for certain provisions governing the Children's Cabinet and related boards and programs; to provide with respect to the powers and duties of the Children's Cabinet; to provide with respect to the preparation of the children's budget; to create the Children's Cabinet Research Council; to create the Louisiana Juvenile Justice Planning and Coordination Board; to provide for the standardization of service regions; to create the Louisiana Children's Children, Youth, and Families Investment Fund; to create the Community-based Sanctions and Services Grant Program; and to provide for related matters.

Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

#### Message from the House

#### SIGNED HOUSE CONCURRENT RESOLUTIONS

June 10, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 101—**

BY REPRESENTATIVE NEVERS

**A CONCURRENT RESOLUTION**

To urge and request the Department of Labor to review its operation of the incumbent worker training program in rural areas.

**HOUSE CONCURRENT RESOLUTION NO. 106—**

BY REPRESENTATIVE JACK SMITH

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to pass legislation for prescription drug relief from the high cost of drugs for those over the age of sixty-five that are on Medicare.

**HOUSE CONCURRENT RESOLUTION NO. 164—**

BY REPRESENTATIVE BALDONE

**A CONCURRENT RESOLUTION**

To urge and request the State Board of Elementary and Secondary Education to study the issue of parental involvement in education and methods to increase parental involvement.

**HOUSE CONCURRENT RESOLUTION NO. 182—**

BY REPRESENTATIVE WINSTON

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to amend the provisions of Section 418(d)(6)(C) of Title 42 of the United States Code to allow the state of Louisiana the right to divide retirement systems established by the state or its political subdivisions into two parts, the first part being composed of members who desire to participate jointly in both the state, statewide, or local retirement system and the federal social security system and the second part of any such divided retirement system to be composed of members who desire to participate solely in the state, statewide, or local retirement system but not in the federal social security system.

**HOUSE CONCURRENT RESOLUTION NO. 216—**

BY REPRESENTATIVES THOMPSON, WALSWORTH, HAMMETT, KENNEY, AND KATZ AND SENATORS BARHAM, C. JONES, GAUTREAUX, HINES, MALONE, MICHOT, ROMERO, AND ULLO

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress and the United States Department of the Interior to rename the Tensas River National Wildlife Refuge the Theodore Roosevelt-Tensas River National Wildlife Refuge.

**HOUSE CONCURRENT RESOLUTION NO. 229—**

BY REPRESENTATIVES SCHNEIDER AND CROWE AND SENATOR SCHEDLER

**A CONCURRENT RESOLUTION**

To commend Joseph Buccaran upon his retirement as principal of Slidell High School.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

**Message from the House****SIGNED HOUSE BILLS AND  
JOINT RESOLUTIONS**

June 10, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 75—**

BY REPRESENTATIVE MURRAY

**AN ACT**

To enact R.S. 1:55(E)(4), relative to legal holidays; to provide that the Municipal Court of New Orleans and the Traffic Court of New Orleans shall have the same legal holidays as the Civil District Court for the parish of Orleans and the Criminal District Court for the parish of Orleans; and to provide for related matters.

**HOUSE BILL NO. 95—**

BY REPRESENTATIVE TRICHE

**AN ACT**

To repeal Section 2 of Act 612 of the 2001 Regular Session of the Legislature, relative to the authority of the Department of Social Services, Support Enforcement Services Program, office of family support, to suspend motor vehicle operator and professional, occupational, business, or industrial licenses for nonpayment of child support; to repeal the termination date on which the authority expires; and to provide for related matters.

**HOUSE BILL NO. 109—**

BY REPRESENTATIVE DIEZ

**AN ACT**

To amend and reenact R.S. 6:969.18(A), relative to the Louisiana Motor Vehicle Sales Finance Act; to increase the convenience fee authorized to be collected by a motor vehicle seller or extender of credit for certain transactions; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 116—**

BY REPRESENTATIVE MARTINY

**AN ACT**

To amend and reenact R.S. 40:2616(A)(2), relative to the allocation of forfeited property; to delete the requirement that motor vehicles seized by law enforcement agencies and used in the course and scope of undercover surveillance and investigation of violations of the Uniform Controlled Dangerous Substances Law be sold after six months; and to provide for related matters.

**HOUSE BILL NO. 131—**

BY REPRESENTATIVE BALDONE

**AN ACT**

To amend and reenact R.S. 56:10(B)(1)(b) and 578.12(B) and to enact R.S. 56:303.1.1(E), relative to shrimp fishing; to limit use of funds in the Shrimp Marketing and Promotion Account; to authorize the purchase of additional fresh products license; and to provide for related matters.

**HOUSE BILL NO. 134—**

BY REPRESENTATIVE PINAC

**AN ACT**

To amend and reenact R.S. 49:968(B)(12), relative to administrative procedure; to require rules promulgated by the office of the state fire marshal, code enforcement and building safety, to be submitted to the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection and International Affairs; and to provide for related matters.

**HOUSE BILL NO. 157—**

BY REPRESENTATIVES DOWNER, FUTRELL, CAPELLA, R. CARTER, FAUCHEUX, WELCH, ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOUIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, CAZAYOUX, CRANE, CURTIS, DARTEZ, DEVILLIER, DEWITT, DOERGE, DOWNS, DURAND, FANNIN, FARRAR, FLAVIN, FRITH, FRUGE, GLOVER, GUILLORY, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, ILES, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LEBLANC, LUCAS, MARTINY,

MCDONALD, MCVEA, MORRELL, MORRISH, MURRAY, NEVERS, PEYCHAUD, PIERRE, PITRE, QUEZAIRE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JANE SMITH, JOHN SMITH, STELLY, STRAIN, TOOMY, TRICHE, TUCKER, WADDELL, WALKER, WINSTON, AND WOOTON

AN ACT

To amend and reenact R.S. 29:407(D), relative to the Military Service Relief Act; to provide relative to reinstatement of dependents to group, blanket, or franchise life, health, medical, and accident insurance after release from military service; and to provide for related matters.

**HOUSE BILL NO. 163—**

BY REPRESENTATIVE PINAC

AN ACT

To repeal R.S. 6:708(D), relative to directors of savings and loan associations; to repeal the qualifying share requirement for directors.

**HOUSE BILL NO. 191 (Duplicate of Senate Bill No. 491)—**

BY REPRESENTATIVE PINAC AND SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 6:646(A)(2)(b) and (B)(2), 656(A)(1)(e), and 661.1(A)(3) and to repeal R.S. 6:646(A)(3), relative to credit unions; to provide factors of consideration for commissioner approval of mergers, consolidations, and expansions of field of membership; to change financial reporting requirements for certain credit unions; to increase certain loan amount approval by the board of directors; to change the net worth ratio criterion for branch office openings; to repeal the moratorium on mergers and conversions; and to provide for related matters.

**HOUSE BILL NO. 192 (Duplicate of Senate Bill No. 492)—**

BY REPRESENTATIVE PINAC AND SENATOR HOLLIS

AN ACT

To enact R.S. 6:665(C), relative to expansions of the field of membership of credit unions; to provide for expansions through bylaw amendments; to provide criteria for expansions; and to provide for related matters.

**HOUSE BILL NO. 221—**

BY REPRESENTATIVE FARRAR

AN ACT

To enact Code of Criminal Procedure Article 885.1 and R.S. 32:414(P), relative to criminal penalties; to provide relative to the suspension of a driver's license for failing to pay fines assessed as a criminal penalty within a certain period of time; to provide for the issuance of a temporary permit; to provide for notice; to provide for the duration of the suspension; and to provide for related matters.

**HOUSE BILL NO. 226—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 12:102(A)(introductory paragraph) and to enact R.S. 12:102(A)(6), relative to business corporations' annual reports; to provide that an agent may make and sign an annual report; to provide the name, address, telephone number, and electronic mail address of the person submitting the annual report; and to provide for related matters.

**HOUSE BILL NO. 229—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 12:1350(D), relative to foreign limited liability companies; to provide for written notices of resignations by registered agents; to provide for mailing of notices to the principal place of business; and to provide for related matters.

**HOUSE BILL NO. 233—**

BY REPRESENTATIVES ILES AND WELCH AND SENATORS CHAISSON, HINES, B. JONES, MOUNT, AND SCHEDLER

AN ACT

To amend and reenact R.S. 46:1409(B)(5) and 1413(E), relative to child care facilities; to prohibit discrimination against breast-fed babies; and to provide for related matters.

**HOUSE BILL NO. 312—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3563.1, relative to the Office of Financial Institutions; to provide for licensure of certain entities; to provide relative to private schools; and to provide for related matters.

**HOUSE BILL NO. 424 (Duplicate of Senate Bill No. 224)—**

BY REPRESENTATIVE PITRE AND SENATOR HAINKEL AND COAUTHORED BY REPRESENTATIVE WALSWORTH

A JOINT RESOLUTION

Proposing to amend Article I, Section 4 of the Constitution of Louisiana, to authorize the legislature to place limitations on the extent of recovery for the taking of, or loss or damage to, property rights affected by coastal wetlands conservation, management, preservation, enhancement, creation, or restoration activities; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

**HOUSE BILL NO. 450—**

BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact R.S. 32:418 and R.S. 40:1321(D)(1), relative to the office of motor vehicles; to provide for registration of certain persons with the United States Selective Service when applying for a driver's license, permit, or identification card; to provide for registration of other persons upon reaching eighteen years; and to provide for related matters.

**HOUSE BILL NO. 536—**

BY REPRESENTATIVE BOWLER

AN ACT

To enact R.S. 32:295.3, relative to the Highway Regulatory Act; to provide for seat belt and motor vehicle liability security checkpoints; to require all law enforcement agencies involved in traffic enforcement to establish guidelines for seat belt and motor vehicle liability security checkpoints; and to provide for related matters.

**HOUSE BILL NO. 544—**

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 49:213.9, relative to coastal zone management; to prohibit certain activities on dunes located in the coastal zone; to authorize certain parishes to establish speed limits; to provide for penalties; and to provide for related matters.

**HOUSE BILL NO. 616—**

BY REPRESENTATIVE FAUCHEUX (BY REQUEST)

AN ACT

To enact R.S. 17:81(O), to require that expenditures by city, parish, and other local school boards to reimburse school board members for certain travel and related expenses be in accordance with travel regulations prescribed by the division of administration for state executive branch employees; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 887—**

BY REPRESENTATIVES ERDEY AND FAUCHEUX

AN ACT

To amend and reenact R.S. 22:1150, relative to producers of record; to provide relative to authorization and recognition of such producers by insurers; to provide with respect to change or removal of such producers; to provide relative to payment of

commissions; to make such provisions applicable to accident and health insurers and all bond business; and to provide for related matters.

**HOUSE BILL NO. 900—**

BY REPRESENTATIVES GARY SMITH AND PIERRE  
AN ACT

To amend and reenact R.S. 56:8(38) and (116) and 322(E)(4) and to enact R.S. 56:305(B)(4)(f) and 322.1, relative to commercial fishing; to provide relative to the definition of the word fish; to provide for the commercial harvest of shad and skipjack herring with a shad gill net in certain waters; to provide for restrictions and penalties; and to provide for related matters.

**HOUSE BILL NO. 1296—**

BY REPRESENTATIVE TRICHE  
AN ACT

To enact R.S. 47:296.2 and R.S. 56:647(C), relative to the suspension or denial of hunting and fishing licenses; to provide for the suspension, revocation, or denial of the issuance of certain licenses for failure to pay the individual income tax; to provide for promulgation of rules; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1662—**

BY REPRESENTATIVES K. CARTER, PEYCHAUD, AND MURRAY  
AN ACT

To enact R.S. 17:29, relative to school social workers; to require the employment of a full-time social worker in each city, parish, and other local public school identified as a failing school in certain parishes; to provide for definitions; to provide for applicability; to provide for effectiveness; and to provide for related matters.

**HOUSE BILL NO. 1834—**

BY REPRESENTATIVES SWILLING AND RICHMOND AND SENATOR JOHNSON  
AN ACT

To enact R.S. 47:463.111, 463.112, 463.113, and 463.114, relative to motor vehicles prestige license plates; to provide for the creation of a special prestige license plate for the Beacon Light Baptist Church; to provide for the creation of a special prestige license plate for the Greater St. Stephens Ministries; to provide for the creation of a special prestige license plate for the New Home Ministries; to provide for the creation of a special prestige license plate for the Camphor Memorial United Methodist Church; to provide for the issuance of such plates; to provide relative to the fees of such plates; to provide for the uses of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

**HOUSE BILL NO. 2012 (Substitute for House Bill No. 1422 by Representative Hebert)—**

BY REPRESENTATIVE HEBERT  
AN ACT

To amend and reenact R.S. 22:173.1(C)(introductory paragraph) and to enact R.S. 22:173.1(L), relative to standard nonforfeiture law for individual deferred annuities; to provide for minimum values; to provide for net considerations; to provide for interest rates; to provide for the authority of the commissioner; to provide for rules; and to provide for related matters.

**HOUSE BILL NO. 186—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 12:1302(A) and to enact R.S. 6:211(C) and R.S. 12:1306(E), relative to financial institutions; to authorize financial institutions to organize and operate as limited liability companies; to provide for rules; to delete the prohibition against limited liability companies being formed for banking purposes; to authorize use of the word "bank" and other related words in the name of certain limited liability companies; and to provide for related matters.

**HOUSE BILL NO. 227—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 12:308(D), relative to foreign corporations; to provide for written notice of resignations of registered agents; to provide for mailing of notices to principal place of business; and to provide for related matters.

**HOUSE BILL NO. 228—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 12:1308(E)(1) and 1308.1(A)(introductory paragraph) and to repeal R.S. 12:1308(E)(2), relative to limited liability companies' registered agents; to provide for an agent's resignation; to provide for filing an annual report; and to provide for related matters.

**HOUSE BILL NO. 239—**

BY REPRESENTATIVES DANIEL, KATZ, WALSWORTH, AND L. JACKSON  
AN ACT

To amend and reenact R.S. 40:5.5(E) and to enact R.S. 40:5.5(G), relative to sanitary inspections; to change the definition of food service establishments for food safety certificates; and to provide for related matters.

**HOUSE BILL NO. 281—**

BY REPRESENTATIVE DEWITT AND SENATOR MCPHERSON  
AN ACT

To enact R.S. 36:254.1 and to repeal Act No. 146 of the 1995 Regular Session of the Louisiana Legislature and R.S. 29:33.1, relative to the Hot Wells Rehabilitation Center; to transfer the center to the office of public health in the Department of Health and Hospitals; and to provide for related matters.

**HOUSE BILL NO. 720—**

BY REPRESENTATIVE HILL  
AN ACT

To amend and reenact Children's Code Article 791.1, relative to the truancy and assessment and service center pilot program; to authorize the creation of a truancy and assessment and service center in the parishes of Allen and St. Landry; and to provide for related matters.

**HOUSE BILL NO. 1309—**

BY REPRESENTATIVE R. CARTER  
AN ACT

To amend and reenact R.S. 17:3991(A)(1) and 3999 and to enact R.S. 17:3996(B)(20), relative to charter schools; to prohibit a charter school from employing the members of the governing or management board of such school; to provide certain limitations relative to family members serving on a charter school governing or management board; to provide for compliance with the code of governmental ethics; to provide for exceptions; to provide for applicability of charter school law; and to provide for related matters.

**HOUSE BILL NO. 1334—**

BY REPRESENTATIVE BEARD  
AN ACT

To enact R.S. 30:2074(B)(9), relative to water quality; to provide for an effluent reduction credit banking system; to provide for rules and regulations; and to provide for related matters.

**HOUSE BILL NO. 1470—**

BY REPRESENTATIVES SALTER, NEVERS, AND WALSWORTH  
AN ACT

To enact R.S. 17:3129.1(A)(4) and 3351(D), relative to the articulation of courses among and recognition of course credit by state public colleges and universities; to provide for certain written reports by the Board of Regents; to provide relative to the duties and responsibilities of public postsecondary management boards; to require that students and prospective

students at any state public college and university receive certain information relative to course offerings at the institution; to provide for effectiveness; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

**Privilege Report of the Committee on  
Senate and Governmental Affairs**

**ENROLLMENTS**

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 10, 2003

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bills have been properly enrolled:

**SENATE BILL NO. 342—**  
BY SENATOR BOISSIERE

**AN ACT**

To enact R.S. 11:2178(M), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to cost-of-living adjustments; to permit payment of a nonrecurring benefit supplement if no cost-of-living adjustment can be paid; to provide for eligibility to receive such supplement; to provide relative to the method and time of payment of such supplement; to provide for retroactive application; and to provide for related matters.

**SENATE BILL NO. 601—**  
BY SENATOR LENTINI

**AN ACT**

To enact R.S. 22:1142.1, relative to insurers; to provide for certain licensing requirements for the solicitation of bail; to provide for certain prohibited activities; and to provide for related matters.

**SENATE BILL NO. 716—**  
BY SENATOR B. JONES

**AN ACT**

To enact R.S. 56:410.8, relative to Lake D'Arbonne; to regulate the use of yo-yos and trigger devices on Lake D'Arbonne; and to provide for related matters.

**SENATE BILL NO. 733—**  
BY SENATOR ADLEY

**AN ACT**

To amend and reenact R.S. 30:9.1, relative to oil and gas production; to provide for termination of drilling and production units under certain circumstances; and to provide for related matters.

Respectfully submitted,  
CHRIS ULLO  
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

**Privilege Report of the Committee on  
Senate and Governmental Affairs**

**ENROLLMENTS**

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 10, 2003

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bills have been properly enrolled:

**SENATE CONCURRENT RESOLUTION NO. 93—**  
BY SENATORS MICHOT, HEITMEIER AND SCHEDLER

**A CONCURRENT RESOLUTION**

To urge and request the commissioner of administration to prepare a report containing certain information on all performance-based energy efficiency contracts for services and equipment entered into by any state agency, board, or commission.

**SENATE CONCURRENT RESOLUTION NO. 107—**  
BY SENATOR SMITH

**A CONCURRENT RESOLUTION**

To request the Bureau of Vital Statistics to report to the Governor's Commission on Marriage and Family divorce data for the state over the last five years.

**SENATE CONCURRENT RESOLUTION NO. 124—**  
BY SENATOR MOUNT

**A CONCURRENT RESOLUTION**

To commend and congratulate Mr. Edwin Roscoe Dixon on the occasion of his 100th birthday.

**SENATE CONCURRENT RESOLUTION NO. 126—**  
BY SENATORS FIELDS AND ELLINGTON AND REPRESENTATIVE BOWLER

**A CONCURRENT RESOLUTION**

To urge and request the Marriage/Persons Committee of the Louisiana State Law Institute to replace references to illegitimate children in its revision of the Civil Code articles on filiation.

Respectfully submitted,  
CHRIS ULLO  
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Bean	1 Day	Thomas	1 Day
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**Adjournment**

Senator Lambert moved that the Senate adjourn until Wednesday, June 11, 2003, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Wednesday, June 11, 2003.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk